

*State of Iowa*

# **Iowa**

# **Administrative**

# **Code**

# **Supplement**

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The Iowa Administrative Code Supplement is published biweekly pursuant to Iowa Code sections 2B.5A and 17A.6. The Supplement contains replacement chapters to be inserted in the loose-leaf Iowa Administrative Code (IAC) according to instructions included with each Supplement. The replacement chapters incorporate rule changes which have been adopted by the agencies and filed with the Administrative Rules Coordinator as provided in Iowa Code sections 7.17 and 17A.4 to 17A.6. To determine the specific changes in the rules, refer to the Iowa Administrative Bulletin bearing the same publication date.

In addition to the changes adopted by agencies, the replacement chapters may reflect objection to a rule or a portion of a rule filed by the Administrative Rules Review Committee (ARRC), the Governor, or the Attorney General pursuant to Iowa Code section 17A.4(6); an effective date delay or suspension imposed by the ARRC pursuant to section 17A.4(7) or 17A.8(9); rescission of a rule by the Governor pursuant to section 17A.4(8); or nullification of a rule by the General Assembly pursuant to Article III, section 40, of the Constitution of the State of Iowa.

The Supplement may also contain replacement pages for the IAC Index or the Uniform Rules on Agency Procedure.

# **INSTRUCTIONS**

## **FOR UPDATING THE**

### **IOWA ADMINISTRATIVE CODE**

Agency names and numbers in bold below correspond to the divider tabs in the IAC binders. New and replacement chapters included in this Supplement are listed below. Carefully remove and insert chapters accordingly.

Editor's telephone (515)281-3355 or (515)242-6873

#### **Real Estate Appraiser Examining Board[193F]**

- Replace Analysis
- Replace Chapter 1
- Replace Chapters 4 to 7
- Replace Chapters 9 to 12
- Replace Chapter 15
- Replace Chapter 17

#### **Volunteer Service, Iowa Commission on[817]**

- Replace Analysis
- Replace Chapter 1
- Remove Chapter 13
- Insert Chapters 13 and 14



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## CHAPTER 1 ORGANIZATION AND ADMINISTRATION

[Prior to 2/20/02, see 193F—Chapters 2, 9 and 11]

### **193F—1.1(543D) Description.**

**1.1(1)** The purpose of the real estate appraiser examining board is to administer and enforce the provisions of Iowa Code chapter 543D (Iowa Voluntary Appraisal Standards and Appraiser Certification Law of 1989) with regard to the appraisal of real property in the state of Iowa, including the examination of candidates and issuance of certificates and registrations; investigation of alleged violations and infractions of the appraisal standards and appraiser certification law; and the disciplining of appraisers. The importance of the role of the appraiser places ethical and professional standards on those who serve in this capacity. To this end, the board has promulgated these rules and has adopted the Uniform Standards of Professional Appraisal Practice (USPAP) to clarify the board's intent and procedures and to promote and maintain a high level of public trust in professional appraisal practice.

**1.1(2)** All official communications, including submissions and requests, should be addressed to the board at its official address, 200 E. Grand Avenue, Suite 350, Des Moines, Iowa 50309.

**1.1(3)** All board action under Iowa Code chapter 543D and 193F—Chapter 17 shall be taken under the supervision of the superintendent, as provided in Iowa Code section 543D.23 and the implementing rules set forth herein.

[ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 2808C, IAB 11/9/16, effective 1/1/17; ARC 4379C, IAB 3/27/19, effective 5/1/19]

### **193F—1.2(543D) Administrative authority.**

**1.2(1)** The superintendent is vested with authority to review, approve, modify, or reject all board action pursuant to Iowa Code chapter 543D and 193F—Chapter 17. The superintendent may exercise all authority conferred upon the board and shall have access to all records and information to which the board has access. In supervising the board, the superintendent shall independently evaluate the substantive merits of recommended or proposed board actions which may be anticompetitive.

**1.2(2)** In performing its duties and in exercising its authority under Iowa Code chapter 543D and 193F—Chapter 17, the board may take action without preclearance by the superintendent if the action is ministerial or nondiscretionary. As used in this chapter, “ministerial or nondiscretionary” shall include any action expressly required by state or federal law, rule, or regulation; by the AQB; or by the appraisal subcommittee. The board may, for example, grant or deny an application for initial or reciprocal certification as a real estate appraiser, an application for registration as an associate real estate appraiser, or an application for a temporary practice permit by an out-of-state appraiser, on any ground expressly required by state or federal law, rule, or regulation; by the AQB; or by the appraisal subcommittee.

**1.2(3)** Prior to taking discretionary action under Iowa Code chapter 543D and 193F—Chapter 17, the board shall secure approval of the superintendent if the proposed action is or may be anticompetitive, as provided in 193F—Chapter 17. As used in this chapter, “discretionary” shall include any action that is authorized but not expressly required by state or federal law, rule, or regulation; by the AQB; or by the appraisal subcommittee. Examples of discretionary action include orders in response to petitions for rule making, declaratory orders, or waivers or variances from rules, rule making, disciplinary proceedings against licensees, administrative proceedings against unlicensed persons, or any action commenced in the district court.

**1.2(4)** Determining whether any particular action is or may be anticompetitive is necessarily a fact-based inquiry dependent on a number of factors, including potential impact on the market or restraint of trade. With respect to disciplinary actions, for instance, a proceeding against a single licensee for violating appraisal standards would not have an impact on the broader market and would accordingly not be an anticompetitive action. Commencement of disciplinary proceedings which affect all or a substantial subset of appraisers may have a significant market impact. When in doubt as to whether a proposed discretionary action is or may be anticompetitive, the board may submit the proposed action through the preclearance procedures outlined in 193F—Chapter 17.

**1.2(5)** A person aggrieved by any final action of the board taken under Iowa Code chapter 543D or 193F—Chapter 17 may appeal that action to the superintendent within 20 days of the date the board issues the action.

*a.* The appeal process applies whether the board action at issue was ministerial or nondiscretionary, or discretionary, and whether the proposed action was or was not submitted through a preclearance process before the superintendent.

*b.* No person aggrieved by a final action of the board may seek judicial review of that action without first appealing the action to the superintendent, as more fully described in 193F—Chapter 17.

*c.* Records, filings, and requests for public information. Final board action, regardless of whether such board action is ministerial, nondiscretionary, or discretionary, shall be immediately effective when issued by the board but is subject to review or appeal to the superintendent as permitted by and in accordance with 193F—Chapter 17. If a timely review is initiated or a timely appeal is taken, the effectiveness of such final board action shall be delayed during the pendency of such review or appeal. [ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 2808C, IAB 11/9/16, effective 1/1/17; ARC 4379C, IAB 3/27/19, effective 5/1/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—1.3(543D) Annual meeting.** The annual meeting of the board shall be the first meeting scheduled after April 30. At this time, the chairperson and vice chairperson shall be elected to serve until their successors are elected.

[ARC 1467C, IAB 5/28/14, effective 7/2/14]

**193F—1.4(543D) Other meetings.** In addition to the annual meeting, and in addition to other meetings, the time and place of which may be fixed by resolution of the board, any meeting may be called by the chairperson of the board or by joint call of a majority of its members.

[ARC 1467C, IAB 5/28/14, effective 7/2/14]

**193F—1.5(543D) Executive officer's duties.**

**1.5(1)** The executive officer shall cause complete records to be kept of applications for examination and registration, certificates and permits granted, and all necessary information in regard thereto.

**1.5(2)** The executive officer shall determine when the legal requirements for certification and registration have been satisfied with regard to issuance of certificates or registrations, and the executive officer shall submit to the board any questionable application.

**1.5(3)** The executive officer shall keep accurate minutes of the meetings of the board. The executive officer shall keep a list of the names of persons issued certificates as certified general real property appraisers, certified residential real property appraisers and associate real property appraisers.

**193F—1.6(543D) Records, filings, and requests for public information.** Unless otherwise specified by the rules of the department of commerce, the board is the principal custodian of its own agency orders, statements of law or policy issued by the board, legal documents, and other public documents on file with the board.

**1.6(1)** Any person may examine public records promulgated or maintained by the board at its office during regular business hours as specified in 193F—Chapter 25.

**1.6(2)** Records, documents and other information may be gathered, stored, and available in electronic format. Information, various forms, documents, and the law and rules may be reviewed or obtained anytime by the public from the board's Internet website located at [idob.state.ia.us/reap](http://idob.state.ia.us/reap).

**1.6(3)** Deadlines. Unless the context requires otherwise, any deadline for filing a document shall be extended to the next working day when the deadline falls on a Saturday, Sunday, or official state holiday. [ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 4379C, IAB 3/27/19, effective 5/1/19]

**193F—1.7(543D) Adoption, amendment or repeal of administrative rules.**

**1.7(1)** The board shall adopt, amend or repeal its administrative rules in accordance with the provisions of Iowa Code section 17A.4. Prior to the adoption, amendment or repeal of any rule of the board, any interested person, as described in Iowa Code section 17A.4(1)“b,” may submit any data, views, or arguments in writing concerning such rule or may request to make an oral presentation

concerning such rule. Such written comments or requests to make oral presentations shall be filed with the board at its official address and shall clearly state:

*a.* The name, address, and telephone number of the person or agency authoring the comment or request;

*b.* The number and title of the proposed rule, which is the subject of the comment or request as given in the Notice of Intended Action;

*c.* The general content of the oral presentation. A separate comment or request to make an oral presentation shall be made for each proposed rule to which remarks are to be asserted.

**1.7(2)** The receipt and acceptance for consideration of written comments and requests to make oral presentations shall be acknowledged by the board.

**1.7(3)** Written comments received after the deadline set forth in the Notice of Intended Action may be accepted by the board although their consideration is not assured. Requests to make an oral presentation received after the deadline shall not be accepted and shall be returned to the requester.

**193F—1.8(22) Public records and fair information practices.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.9(68B) Sales of goods and services.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.10(17A) Petitions for rule making.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.11(17A) Declaratory orders.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.12(252J,261) Denial of issuance or renewal of license for nonpayment of child support or student loan.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.13(17A) Waivers and variances.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.14(543D,17A,272C) Investigations and investigatory subpoenas.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.15(543D,17A,272C) Contested case procedures.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.16(272C) Impaired licensees.** Rescinded **ARC 4379C**, IAB 3/27/19, effective 5/1/19.

**193F—1.17(543D) Types of appraiser classifications.** There are three types of appraiser classifications:

1. Associate real property appraiser. This classification consists of those persons who meet the requirements of 193F—Chapter 4.

2. Certified residential real property appraiser. This classification consists of those persons who meet the requirements of 193F—Chapter 5.

3. Certified general real property appraiser. This classification consists of those persons who meet the requirements of 193F—Chapter 6.

[**ARC 7774B**, IAB 5/20/09, effective 6/24/09]

**193F—1.18(543D) Qualified state appraiser certifying agency.**

**1.18(1)** The real estate appraiser examining board is a state appraiser certifying agency in compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). As a result, persons who are issued certificates by the board to practice as certified real estate appraisers are authorized under federal law to perform appraisal services for federally related transactions and are identified as such in the National Registry maintained by the Appraisal Subcommittee (ASC).

**1.18(2)** The board must adhere to the criteria established by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation when registering associate appraisers or certifying certified appraisers under Iowa Code chapter 543D.

[ARC 1467C, IAB 5/28/14, effective 7/2/14]

**193F—1.19(543D) May 1, 2018, criteria.**

**1.19(1)** Effective on and after May 1, 2018, the AQB has changed the criteria for eligibility for certification as a certified appraiser. No person may be certified as a certified appraiser on or after May 1, 2018, unless the person is eligible under the most recent criteria.

**1.19(2)** The May 1, 2018, criteria were adopted by the AQB in 2018 and have been widely disseminated, including on the board's website at: [idob.state.ia.us/reap/](http://idob.state.ia.us/reap/). The May 1, 2018, criteria modify the conditions under which applicants for certification are eligible to take the required examinations.

[ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—1.20(543D) Application and work product deadlines.**

**1.20(1)** *Summary of registration requirements for registration as an associate.* The associate appraiser and supervisory appraiser provisions are more fully set out in 193F—Chapters 4 and 15, respectively. Before submitting an application for registration with the board, a person seeking registration as an associate appraiser must complete 75 hours of appraisal education and secure a qualified supervisory appraiser. An associate appraiser applicant who submits an application to the board office must have completed all required qualifying education and the supervisory appraiser/associate coursework prior to submitting an application for registration.

**1.20(2)** *Summary of certification requirements.* As more fully set out in 193F—Chapters 3, 5, and 6, a person who is in the process of completing the education, experience, and examination required for certification as a certified appraiser may not submit an application for certification to the board until all prerequisites have been satisfactorily completed. The prerequisites include the following: qualifying college and core criteria appraiser education, qualifying examination, 1,500 hours of qualifying experience in a minimum of 12 months for residential appraisers or 3,000 hours of qualifying experience in a minimum of 18 months for general appraisers, and work product review. Work product review requires numerous steps, as provided in 193F—5.6(543D) and 193F—6.6(543D). The work product review process includes the applicant's submission of a work product experience log to the board; the board's selection of three appraisals to review; communication of the selected appraisals to the applicant; the applicant's submission of the three appraisals and associated work files to the board in electronic and paper formats; review of the appraisals and work files by a reviewer retained by the board; the reviewer's submission of review reports to the board; a meeting between the applicant and the board's work product review committee; a formal board vote at a board meeting; and communication of approval, denial, or deferral to the applicant. All of these steps must be completed before an applicant with approved work product can submit an application for certification to the board office.

[ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 4707C, IAB 10/9/19, effective 11/13/19]

**193F—1.21(543D) National criminal history check.** All applicants for any of the classifications listed in 193F—1.17(543D), including an applicant seeking to upgrade from a certified residential credential to a certified general credential, must satisfactorily complete a state and national criminal history check as a condition of registration as an associate real property appraiser, certification as a residential, or certification as or upgrade to a general real property appraiser. The applicant shall authorize release of the results of the criminal history check to the board. If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board may perform a new state and national criminal history check or may reject and return the application to the applicant.

[ARC 1467C, IAB 5/28/14, effective 7/2/14; ARC 3084C, IAB 5/24/17, effective 6/28/17; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—1.22(272C,543D) Process for board review of eligibility.**

**1.22(1)** Before applying for registration as an associate appraiser or certification as a certified appraiser, a person with a criminal history or other background matters that may impair registration or certification may request that the board evaluate the prospective applicant's criminal history or other background matters by submitting a written request to the board. Upon receiving such a request, the board may request additional supporting materials.

**1.22(2)** Requests will be processed under the same standards as applications for registration or certification in order to inform the prospective applicant whether any of the disclosed information is or may be a bar to future registration or certification. In responding to a request, the board shall address only the offenses or matters listed in the request. The board's response will be based upon the laws, rules, and guidelines in effect at the time of the board's response, including the guidelines and policies promulgated by the AQB or ASC.

**1.22(3)** If the information supplied is not accurate or is incomplete, or if applicable laws, rules, or guidelines change or are impacted by intervening board orders or case law, the board's response shall not be binding on a future board.

[ARC 1467C, IAB 5/28/14, effective 7/2/14]

**193F—1.23(272C,543D) Applications.** Unless otherwise provided by rule of the board, abandoned applications shall be deemed withdrawn. An application is abandoned if the applicant has not accessed or modified the application through the board's electronic licensing database within the preceding six months. For purposes of this rule, "application" means any request, application, registration, or petition submitted to the board through the licensing database, including but not limited to the following:

1. Add supervisor appraiser;
2. Associate appraiser registration;
3. Conversion application;
4. Course application;
5. Course instructor application;
6. Course provider application;
7. Examination and experience application;
8. Formal wall certificate request;
9. Pre-/post-course approval request;
10. Reactivation application;
11. Reciprocity application;
12. Reinstatement application;
13. Removal of associate from supervisor;
14. Removal of supervisor from associate;
15. Renewal application;
16. Temporary practice permit application;
17. General application to apply military service to an experience or educational requirement for licensure;
18. Background packet request;
19. Petition for waiver from administrative rules;
20. Request for change of legal name;
21. Request for verification (license and/or examination history); or
22. Request to change license address.

[ARC 5237C, IAB 10/21/20, effective 11/25/20]

These rules are intended to implement Iowa Code sections 543D.4, 543D.5, 543D.7, 543D.17, 543D.20 and 543D.22 and chapter 272C.

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[Filed ARC 5237C (Notice ARC 5126C, IAB 8/12/20), IAB 10/21/20, effective 11/25/20]



CHAPTER 4  
ASSOCIATE REAL PROPERTY APPRAISER  
[Prior to 2/20/02, see rule 193F—3.6(543D)]

**193F—4.1(543D) Qualifications to register as an associate appraiser.**

**4.1(1) Education.**

*a.* A person applying for registration as an associate appraiser shall, at a minimum, satisfactorily complete all AQB-approved, qualifying education courses required under the current AQB criteria specifying educational standards applicable for registration as an associate residential appraiser or associate general appraiser. Each required course must be completed before the person can obtain an associate credential.

*b.* The initial qualifying education must be completed no more than five years prior to the date of application. Credit toward all or part of the core criteria qualifying education requirements in this rule may also be obtained via the completion of a degree in real estate from an accredited degree-granting college or university, provided that the college or university has had its curriculum reviewed and approved by the AQB and so long as the degree was granted no more than five years prior to the date of application.

**4.1(2) Training.** Prior to registration as an associate, a person must complete a course that complies with the specifications for course content established by the AQB specifically oriented to the requirements and responsibilities of supervisory appraisers and associate appraisers. The course must be completed before the person can obtain an associate credential. This course cannot be applied toward the required hours of qualifying or continuing education.

**4.1(3) Background check.** A state and national criminal history check shall be performed on any new associate appraiser. The applicant shall authorize release of the results of the criminal history check to the board. If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board may perform a new state and national criminal history check or may reject and return the application to the applicant.

**4.1(4) Application form.** After completing the education outlined in subrules 4.1(1) and 4.1(2), a person applying for registration as an associate appraiser shall apply for registration on the form provided by the board. The form and the appropriate application fee shall be submitted to the board.

**4.1(5) Registration denial.** The board may deny an application for registration as an associate appraiser on any ground upon which the board may impose discipline against an associate appraiser, as provided in 193F—Chapter 7.

[ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 3084C, IAB 5/24/17, effective 6/28/17; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—4.2(543D) Supervision of associate appraisers.**

**4.2(1) Direct supervision.** An associate appraiser is subject to the direct supervision of a certified real property appraiser. Qualifications for a supervisory appraiser are outlined in 193F—Chapter 15. An associate appraiser may be supervised by more than one supervisory appraiser.

**4.2(2) Supervisor registration.** An associate appraiser shall identify all supervisors by whom the associate will be supervised on forms provided by the board and shall promptly notify the board in the event of an addition of a, or change in, supervisor or if the associate will no longer be supervised by a previously identified supervisor. An associate appraiser who does not have at least one approved active supervisor meeting the requirements of 193F—Chapter 15 will be placed in inactive status until such time as the associate finds a supervisor meeting the requirements of 193F—Chapter 15. Associate appraisers wishing to maintain an inactive license must continue to renew on a biennial basis in accordance with rule 193F—4.3(543D).

**4.2(3) Scope of practice.** The scope of practice of an associate appraiser is the same as the scope of practice of the supervisory appraiser. An associate appraiser supervised by a certified residential appraiser shall accordingly be restricted to the scope of practice of a certified residential appraiser, while an associate appraiser supervised by a certified general appraiser shall be subject to the same scope of practice as a certified general appraiser.

**4.2(4) Logs.** An associate appraiser shall maintain an appraisal experience log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. Every log page shall have the signatures of the associate appraiser and supervisory appraiser, the state certification number of the supervisory appraiser, and the date of signature. Required log entries shall, at a minimum, include the following for each appraisal:

- a. Type of property;
- b. Date of report;
- c. Address of appraised property;
- d. A specific description of work performed by the associate appraiser and scope of review and supervision of the supervisory appraiser;
- e. Number of actual work hours by the associate on the assignment; and
- f. The approach(es) to value utilized in the report.

**4.2(5) Monitoring of logs.** The associate appraiser shall have the appraisal log reviewed and signed by the supervisory appraiser at least monthly. Upon written request by the board, the associate appraiser and the supervisory appraiser shall submit a copy of the associate appraiser's log by letter or email within ten calendar days. The failure of an associate appraiser or supervisory appraiser to submit the requested log is a ground for disciplinary action. A separate appraisal log shall be maintained for each supervisory appraiser.

[ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—4.3(543D) Renewal of associate appraiser registration.** An associate appraiser registration must be renewed on a biennial basis as more fully described in 193F—Chapter 9. An associate appraiser is subject to the same continuing education requirements as are applicable to a certified appraiser as a precondition for renewal. Continuing education requirements are outlined in 193F—Chapter 11.

**193F—4.4(543D) Progress toward certification as a certified residential appraiser or certified general appraiser.**

**4.4(1) Associate classification.** The associate appraiser classification is intended for those persons training to become certified appraisers and is not intended as a long-term method of performing appraisal services under the supervision of a certified appraiser in the absence of progress toward certification. As a result, the board may impose deadlines for achieving certification, or for satisfying certain prerequisites toward certification, for those persons who apply to renew an associate appraiser registration more than two times. Deadlines, if any, would be imposed as a condition for the third or subsequent renewal.

**4.4(2) Factors to consider.**

a. The board may consider the following noninclusive list of factors when deciding whether to impose a deadline for achieving certification:

- (1) An associate appraiser's access to the educational courses required for certification;
- (2) Whether the associate appraiser had completed the college requirement for certification in advance of registering as an associate appraiser or whether college coursework is in progress;
- (3) The associate appraiser's access to supervisory appraisers, the volume of the supervisory appraiser's practice, and the type of certification the associate is training to achieve; and
- (4) Such additional factors as may be relevant to the board's determination as to whether the associate appraiser is making good-faith progress toward certification.

b. While the board's policy is to work with associate appraisers and their supervisors in a cooperative manner, an associate appraiser who does not demonstrate good-faith progress toward certification shall be subject to the imposition of deadlines as described in subrule 4.4(1).

**4.4(3) Progress reports.** In order to assess an associate appraiser's progress toward certification, the board may request periodic progress reports from the associate appraiser and from the associate appraiser's supervisory appraiser or appraisers. Progress reports on the steps an associate appraiser has taken toward certification and the associate appraiser's plans for completing certification prerequisites shall be submitted to the board within ten calendar days of the board's written request. The failure of

an associate appraiser or supervisory appraiser to submit the requested progress report is a ground for disciplinary action.

[ARC 1731C, IAB 11/12/14, effective 12/17/14]

**193F—4.5(543D) Applying for certification as a certified residential appraiser or certified general appraiser.** An associate appraiser may apply for certification as a certified residential real property appraiser by satisfying the requirements of 193F—Chapter 5, or as a certified general real property appraiser by satisfying the requirements of 193F—Chapter 6. The requirements for each type of certification include education, examination, and experience, which includes work product review.

[ARC 7774B, IAB 5/20/09, effective 6/24/09]

**193F—4.6(272C,543D) Reinstating or reactivating an associate registration.**

**4.6(1)** In order to reinstate or reactivate an associate registration that has lapsed or been placed in inactive status, the applicant must complete all continuing education required for reinstatement pursuant to 193F—subrule 11.2(5). For purposes of this rule, in addition to the most recent edition of a seven-hour USPAP course, the board shall allow for continuing education only those courses that have been AQB-approved as qualifying education required for certification, as outlined in rules 193F—5.2(543D) and 193F—6.2(543D). The purpose of this requirement is to ensure that those associates reinstating a lapsed or inactive registration are progressing toward certification. Any qualifying education course taken under this rule as continuing education shall also apply as qualifying education toward certification. If the applicant has completed all qualifying education prior to applying to reinstate a lapsed or inactive associate registration, the applicant may use any approved continuing education course as provided in 193F—Chapter 11, in addition to the required seven-hour USPAP update course, toward the continuing education required for reinstatement.

**4.6(2)** If an appraiser's registration is placed in inactive status as a result of the appraiser's failure to maintain at least one approved active supervisor meeting the requirements of 193F—Chapter 15 pursuant to subrule 4.2(2), the applicant must complete the continuing education required by subrule 4.6(1) in order to reinstate the associate registration but is not required to pay any fee that would otherwise be required in connection with such reinstatement so long as the associate has not renewed the registration to inactive status or allowed the registration to lapse prior to reinstating or reactivating the registration.

[ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

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CHAPTER 5  
CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER  
[Prior to 2/20/02, see rule 193F—3.4(543D) and 193F—Chapter 4]

**193F—5.1(543D) General.**

**5.1(1)** The certified residential real property appraiser classification qualifies the appraiser to appraise one- to four-unit residential properties without regard to value or complexity. The classification includes the appraisal of vacant or unimproved land that is utilized for one- to four-unit residential properties or for which the highest and best use is for one- to four-unit residential properties. The classification does not include the appraisal of subdivisions for which a development analysis/appraisal is necessary.

**5.1(2)** Certification is composed of three parts: education, examination, and experience, which includes work product review.

**5.1(3)** All certified residential real property appraisers must comply with USPAP.  
[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14]

**193F—5.2(543D) Education.** Education requirements for an applicant to obtain a certificate as a certified residential real property appraiser shall be in compliance with the criteria as set forth by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation. If an accredited college or university (accredited by the Commission on Colleges, by a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education) accepts the College-Level Examination Program® (CLEP) examination(s) and issues a transcript for the examination(s) showing the college's or university's approval, the CLEP credit will be considered as credit for the college course.

**5.2(1) Collegiate education.** There are five options toward certification as a certified residential real property appraiser. An applicant must meet at least one of the five options identified in paragraphs 5.2(1) "a" through 5.2(1) "e," below, in order to be eligible for certification as a residential real property appraiser.

*a.* An applicant holds a bachelor's degree in any field of study from an accredited college or university.

*b.* An applicant holds an associate's degree in a field of study from an accredited college, junior college, community college, or university that relates to:

- (1) Business administration;
- (2) Accounting;
- (3) Finance;
- (4) Economics; or
- (5) Real estate.

*c.* Successful completion of 30 semester hours of college-level courses from an accredited college, junior college, community college, or university that cover each of the following specific areas and hours:

- (1) English composition (3 hours);
- (2) Microeconomics (3 hours);
- (3) Macroeconomics (3 hours);
- (4) Finance (3 hours);
- (5) Algebra, geometry, or higher math (3 hours);
- (6) Statistics (3 hours);
- (7) Computer science (3 hours);
- (8) Business law or real estate law (3 hours);
- (9) Two electives in any of the above topics or in accounting, geography, agriculture, economics, business management, or real estate (3 hours each).

*d.* Successful completion of at least 30 semester hours of College-Level Examination Program® (CLEP) examinations that cover each of the following specific areas and hours:

- (1) College algebra (3 semester hours);
- (2) College composition (6 semester hours);

- (3) College composition modular (3 semester hours);
- (4) College mathematics (6 semester hours);
- (5) Principles of macroeconomics (3 semester hours);
- (6) Principles of microeconomics (3 semester hours);
- (7) Introductory business law (3 semester hours); and
- (8) Information systems (3 semester hours).

*e.* Any combination of paragraphs 5.2(1) “*c*” and 5.2(1) “*d*,” above, that ensures coverage of all of the topics and hours identified in paragraph 5.2(1) “*c*.” For purposes of determining whether coverage of the topics and hours identified in paragraph 5.2(1) “*c*” has occurred:

(1) The college algebra CLEP examination may be considered for satisfying the algebra, geometry, or higher math requirement of paragraph 5.2(1) “*c*.”

(2) The college composition CLEP examination may be considered for satisfying the English composition requirement of paragraph 5.2(1) “*c*.”

(3) The college composition modular CLEP examination may be considered for satisfying the English composition requirement of paragraph 5.2(1) “*c*.”

(4) The college mathematics CLEP examination may be considered for satisfying the algebra, geometry, or higher math requirement of paragraph 5.2(1) “*c*.”

(5) The principles of macroeconomics CLEP examination may be considered for satisfying the macroeconomics or finance requirement of paragraph 5.2(1) “*c*.”

(6) The principles of microeconomics CLEP examination may be considered for satisfying the microeconomics or finance requirement of paragraph 5.2(1) “*c*.”

(7) The introductory business law CLEP examination may be considered for satisfying the business law or real estate law requirement of paragraph 5.2(1) “*c*.”

(8) The information systems CLEP examination may be considered for satisfying the computer science requirement of paragraph 5.2(1) “*c*.”

**5.2(2) *Core criteria.*** In addition to the formal education in subrule 5.2(1), an applicant must complete 200 creditable class hours before taking the AQB-approved examination. All courses must be AQB-approved current core criteria to be considered creditable. The required courses and 200 hours consist of the following:

<i>a.</i> Basic appraisal principles	30 hours
<i>b.</i> Basic appraisal procedures	30 hours
<i>c.</i> The 15-hour USPAP course or equivalent	15 hours
<i>d.</i> Residential market analysis and highest and best use	15 hours
<i>e.</i> Residential appraiser site valuation and cost approach	15 hours
<i>f.</i> Residential sales comparison and income approaches	30 hours
<i>g.</i> Residential report writing and case studies	15 hours
<i>h.</i> Statistics, modeling and finance	15 hours
<i>i.</i> Advanced residential applications and case studies	15 hours
<i>j.</i> Appraisal subject matter electives	20 hours

**5.2(3) *Degree program.*** Credit toward core criteria qualifying education requirements may also be obtained via the completion of a degree in real estate from an accredited degree-granting college or university, provided that the college or university has had its curriculum reviewed and approved by the AQB.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—5.3(543D) Examination.** The prerequisite for taking the AQB-approved examination is completion of 200 creditable course hours as specified in subrule 5.2(2). The 200 creditable course hours, collegiate education, and all experience must be completed as specified in subrules 5.2(1) and 5.2(2) and rule 193F—5.4(543D) prior to the examination. For 5.2(2) “*c*,” equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB. USPAP qualifying education shall be awarded only when the class is instructed by at least

one AQB-certified USPAP instructor who holds a state-issued certified residential or certified general appraiser credential in active status and good standing.

**5.3(1) Qualification.**

*a.* In order to qualify to sit for the certified residential real property appraiser examination, the applicant must:

(1) Complete the board's application form and provide copies of documentation of completion of all courses claimed that qualify the applicant to sit for the examination.

(2) Pay the fee specified in 193F—Chapter 12.

*b.* The core criteria, collegiate education, and experience must be completed and the documentation submitted to the board at the time of application to sit for the examination.

**5.3(2)** The board may verify educational credits claimed. Undocumented credits will be sufficient cause to invalidate the examination results pursuant to 193F—paragraph 3.3(2) “c.”

**5.3(3)** Responsibility for documenting the educational credits claimed rests with the applicant.

**5.3(4)** An applicant must supply the original examination scores when applying for certification. Copies of the scores will not be accepted.

**5.3(5)** If an applicant who has passed an examination does not obtain the related appraiser credential within 24 months after passing the examination, that examination result loses its validity to support issuance of an appraiser credential. To regain eligibility for the credential, the applicant must retake and pass the examination. This requirement applies to individuals obtaining an initial certified credential or upgrading from an associate credential.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—5.4(543D) Supervised experience required for initial certification.** All experience required for initial certification pursuant to Iowa Code section 543D.9 shall be performed as a registered associate real property appraiser under the direct supervision of a certified real property appraiser pursuant to the provisions of 193F—Chapter 15.

**5.4(1) Acceptable experience.** The board will accept as qualifying experience the documented experience attained while the applicant for initial certification was in an educational program recognized by the Appraiser Qualifications Board and Appraisal Subcommittee as providing qualifying experience for initial certification, whether or not the applicant was registered as an associate real property appraiser at the time the educational program was completed. Such programs, if approved by federal authorities, will incorporate direct supervision by a certified real property appraiser and such additional program features as to satisfy the purpose of requiring that qualifying experience be attained by the applicant as an associate real property appraiser.

**5.4(2) Exceptions.**

*a.* Applicants for initial certification in Iowa who request that the board approve experience performed in the absence of registration as an associate real property appraiser may file an application for approval on a form provided by the board. The burden shall be on the applicant to establish by clear and convincing evidence all of the following:

(1) The experience is qualifying experience under the substantive and documentation standards of the Appraiser Qualifications Board and Appraisal Subcommittee.

(2) Denial of the application would impose an undue hardship on the applicant.

(3) The nature of the experience attained is qualitatively and substantially equivalent to the experience an associate real property appraiser would receive under the direct supervision of a certified real property appraiser pursuant to the standards established in 193F—Chapter 15.

(4) Approval of the application would foster the board's goal of fair and consistent treatment of applicants.

(5) A basis exists beyond the individual control of the applicant to explain why the experience at issue could not have been attained by the applicant as an associate real property appraiser under the direct supervision of a certified real property appraiser.

*b.* Among the circumstances the board may consider favorably in ruling on an application for approval of unsupervised experience or experience attained by the applicant in the absence of registration as an associate real property appraiser are:

(1) The experience was attained in a jurisdiction that, at the time, did not register associate real property appraisers or otherwise offer an associate, trainee or equivalent category of certification.

(2) The applicant attained the experience while employed in a county assessor's office engaged in mass appraisals, and the experience would otherwise qualify under applicable federal standards.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—5.5(543D) Demonstration of experience.** The experience necessary for certification pursuant to Iowa Code section 543D.9 must meet the requirements of this rule. The objective of the demonstration of experience is to ensure that, before the applicant is issued a certificate, the applicant has obtained sufficient diversified experience to perform an appraisal.

**5.5(1)** The applicant shall provide to the board an appraisal log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. The appraisal log shall, at a minimum, include all information as described in 193F—subrule 4.2(4).

**5.5(2)** The applicant shall accumulate a total of 1,500 hours of residential appraisal experience in no fewer than 12 months while in active status. While the hours may be cumulative, the 12 months must have elapsed before the applicant can apply to take the examination. Experience claimed must have been performed in compliance with USPAP in which the appraiser demonstrates proficiency in appraisal principles methodology, procedures and reporting conclusions. Acceptable appraisal experience includes, but is not limited to, the following:

- a.* Fee and staff appraisal;
- b.* Ad valorem tax appraisal;
- c.* Review appraisal;
- d.* Appraisal analysis;
- e.* Appraisal consulting;
- f.* Highest and best use analysis;
- g.* Feasibility analysis/study; and
- h.* Mass appraisal.

**5.5(3)** The types of experience set out in 5.5(2) are intended neither to exclude other sorts of appraisal experience nor to prescribe a specified minimum array of experience. However, an applicant who cannot demonstrate a background of experience of the diversity manifested by this rule shall bear the burden of showing that the applicant's experience is of sufficient quality and diversity to fulfill the objective of the demonstration of experience. A diversity of experience includes, but is not limited to, the following:

- a.* Performing all approaches to value (i.e., cost, income, sales);
- b.* Various reporting types;
- c.* Appropriate use of various forms (e.g., gPAR, 1004) and formats;
- d.* Various property types (e.g., vacant land, condominium, manufactured home, and rental);
- e.* Various assignments that include varying scopes of work (e.g., as is, as completed or proposed, foreclosure, rural properties, estates, use of extraordinary assumption or hypothetical conditions); and
- f.* Diversity in value ranges.

**5.5(4)** An applicant may be required to appear before the board or its representative to supplement or verify evidence of experience, which shall be in the form of written reports or file memoranda.

**5.5(5)** The board may require inspection, by the board itself or by its representatives, of documentation relating to an applicant's claimed experience. Such inspection may be made at the board's offices or such other place as the board may designate.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—5.6(543D) Work product review.**



**5.6(1)** An applicant shall submit a complete appraisal log at the time of application for examination and work product review. The board will select three appraisals for work product review and request that the applicant submit four paper copies of each report and four paper copies of each work file in addition to an electronic format requested by the board for each of the selected appraisals along with the appropriate form and fee. The fee for work product review of the appraisals is provided in 193F—Chapter 12. The board may select the appraisals at random from the entire log or within certain types of appraisals. The board reserves the right to request one or more additional appraisals if those submitted by the applicant raise issues concerning the applicant's competency or compliance with applicable appraisal standards or the degree to which the submitted appraisals are representative of the applicant's work product. Such additional appraisals may be selected at random from the applicant's log or may be selected specifically to provide an example of the applicant's work product regarding a particular type of appraisal.

**5.6(2)** The board shall treat all appraisals received as public records unless the applicant notifies the board at the time of submission that a submitted appraisal is subject to the confidentiality provisions of appraisal standards or is otherwise confidential under state or federal law. While applicants are encouraged to submit appraisals actually performed for clients, applicants may submit one or more demonstration appraisals if the appraisals are prepared based on factual information in the same manner as applicable to actual appraisal assignments and are clearly marked as demonstration appraisals. Experience gained for work without a traditional client (i.e., a client hiring an appraiser for a business purpose), for example a demonstration appraisal, cannot exceed 50 percent of the total experience requirement.

**5.6(3)** An applicant seeking to upgrade to a certified residential real property appraiser shall submit three residential appraisals for review.

**5.6(4)** The board will submit the appraisals to a peer review consultant for an opinion on the appraiser's compliance with applicable appraisal standards.

**5.6(5)** The work product review process is not intended as an endorsement of an applicant's work product. No applicant or appraiser shall represent the results of work product review in communications with a client or in marketing to potential clients in a manner which falsely portrays the board's work product review as an endorsement of the appraiser or the appraiser's work product. Failure to comply with this prohibition may be grounds for discipline as a practice harmful or detrimental to the public.

**5.6(6)** The board views work product review, in part, as an educational process. While the board may deny an application based on an applicant's failure to adhere to appraisal standards or otherwise demonstrate a level of competency upon which the public interest can be protected, the board will attempt to work with applicants deemed in need of assistance to arrive at a mutually agreeable remedial plan. A remedial plan may include additional education, desk review, a mentoring program, or additional precertification experience.

**5.6(7)** An applicant who is denied certification based on the work product review described in this rule, or on any other ground, shall be entitled to a contested case hearing as provided in rule 193F—20.39(546,543D,272C). Notice of denial shall specify the grounds for denial, which may include any of the work performance-related grounds for discipline against a certified appraiser.

**5.6(8)** If probable cause exists, the board may open a disciplinary investigation against a certificate holder based on the work product review of an applicant. A potential disciplinary action could arise, for example, if the applicant is a certified residential real property appraiser seeking an upgrade to a certified general real property appraiser, or where the applicant is uncertified and is working under the supervision of a certified real property appraiser who cosigned the appraisal report.

**5.6(9)** After accumulating a minimum of 500 hours of appraisal experience, an applicant may voluntarily submit work product to the board to be reviewed by a peer reviewer for educational purposes only. A maximum of three reports may be submitted for review during the experience portion of the certification process. The fee for voluntary submissions of work product for review is provided in 193F—Chapter 12.

**5.6(10)** The board will retain the appraisals for as long as needed as documentation of the board's actions for the Appraisal Subcommittee or as needed in a pending proceeding involving the work product

of the applicant or the applicant's supervisor. When no longer needed for such purposes, the work product may be retained or destroyed at the board's discretion.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 4379C, IAB 3/27/19, effective 5/1/19; ARC 4707C, IAB 10/9/19, effective 11/13/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—5.7(543D) Upgrade to a certified general real property appraiser.** To upgrade from a certified residential real property appraiser to a certified general real property appraiser, an applicant must complete the following additional education, examination, supervision, and experience requirements and a state and national criminal history check as provided in Iowa Code section 543D.22. For all intents and purposes, a certified residential appraiser seeking to upgrade to a certified general status will be considered an associate appraiser as it relates to differences between the scope of practice of the two licensure categories, and the upgrade process will generally follow the same registration requirements, supervisory identification and maintenance requirements, and processes and procedures generally applicable to associate appraisers set forth in 193F—Chapter 4.

**5.7(1) Education.**

*a. Collegiate education.* Certified residential real property appraisers must satisfy the college-level education requirements as specified in rule 193F—6.2(543D).

*b. Core criteria.* In addition to the formal education and core criteria educational requirements originally required to obtain a certified residential credential, an applicant must complete the following additional 100 creditable, core criteria class hours before taking the AQB-approved examination. All courses must be AQB-approved under current core criteria to be considered creditable. The required courses and 100 hours consist of the following:

- |  |          |
|--|----------|
| (1) General appraiser market analysis and highest and best use | 15 hours |
| (2) General appraiser sales comparison approach                | 15 hours |
| (3) General appraiser site valuation and cost approach         | 15 hours |
| (4) General appraiser income approach                          | 45 hours |
| (5) General appraiser report writing and case studies          | 10 hours |

**5.7(2) Examination.** An applicant must satisfy the examination requirements as specified in rule 193F—6.3(543D).

**5.7(3) Supervision and experience.**

*a. Experience.* An applicant must satisfy all of the experience requirements as specified in rules 193F—6.4(543D) and 193F—6.5(543D). In obtaining and documenting the 3,000 total experience hours required by 193F—subrule 6.5(2), as is the case for initial licensure, such hours must be accumulated in no fewer than 18 months while in active status as, in effect, a registered associate appraiser pursuing an upgrade pursuant to this rule and subject to the supervision of an Iowa-certified appraiser. Notwithstanding the foregoing:

(1) To the extent residential appraisal experience may be counted towards licensure in accordance with 193F—subrule 6.5(2), residential appraisal experience obtained as a certified residential appraiser prior to initiating the upgrade process may be included on the appraisal log and, subject to the work product review process, counted towards the experience-hours requirement for purposes of upgrading from a certified real property appraiser to a certified general real property appraiser; provided that such residential appraisal experience obtained prior to initiating the upgrade process shall not apply toward the 18-month requirement.

(2) Applicants may request that the board approve experience hours performed in the absence of registration as an associate real property appraiser by filing an application for approval on a form provided by the board, which application will be subject to and governed by the same processes and standards set forth in rule 193F—6.4(543D).

*b. Supervision.* Subject to applicable exceptions, all nonresidential experience obtained and applied toward obtaining a certified general credential as part of the upgrade process shall be performed under the direct supervision of a certified general real property appraiser pursuant to the provisions of 193F—Chapter 15 and shall be subject to the identification, notification, maintenance, approval, scope-of-practice, log, and monitoring requirements set forth in 193F—Chapter 4. Both the applicant

and the applicant's supervisor(s) must complete a supervisor/trainee course within the five years prior to the board's receipt of the associate registration application identifying a supervisor with the board or prior to the applicant's obtaining or claiming any experience hours under the supervision of that supervisor.

**5.7(4) *Work product review.*** An applicant must satisfy the work product review requirements as specified in rule 193F—6.5(543D).

**5.7(5) *Background check.*** A state and national criminal history check shall be performed on any appraiser upgrading to a certified general real property appraiser. The applicant shall authorize release of the results of the criminal history check to the board. If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board may perform a new state and national criminal history check or may reject and return the application to the applicant.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 3084C, IAB 5/24/17, effective 6/28/17; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

These rules are intended to implement Iowa Code sections 543D.5, 543D.8, and 543D.9.

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CHAPTER 6  
 CERTIFIED GENERAL REAL PROPERTY APPRAISER  
 [Prior to 2/20/02, see rule 193F—3.3(543D) and 193F—Chapter 4]

**193F—6.1(543D) General.**

**6.1(1)** The certified general real property appraiser classification qualifies the appraiser to appraise all types of real property.

**6.1(2)** All certified general real property appraisers must comply with USPAP.

**6.1(3)** Certification is composed of three parts: education, examination, and experience, which includes work product review.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14]

**193F—6.2(543D) Education.** Education requirements for an applicant to obtain a certificate as a certified general real property appraiser shall be in compliance with the criteria as set forth by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation.

**6.2(1) Collegiate education.** Applicants must hold a bachelor's degree or higher from an accredited college, junior college, community college, or university. If an accredited college or university (accredited by the Commission on Colleges, by a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education) accepts the College-Level Examination Program® (CLEP) examination(s) and issues a transcript for the examination(s) showing the college's or university's approval, the CLEP credit will be considered as credit for the college course. An applicant who submits a master's degree or higher as proof of the applicant's bachelor's degree must include an affidavit or a copy of the bachelor's degree attesting that the bachelor's degree is from an accredited college or university.

**6.2(2) Core criteria.** In addition to the formal education in 6.2(1), an applicant must complete 300 creditable class hours before taking the AQB-approved examination. All courses must be AQB-approved under current core criteria to be considered creditable. The required courses and 300 hours consist of the following:

<i>a.</i>	Basic appraisal principles	30 hours
<i>b.</i>	Basic appraisal procedures	30 hours
<i>c.</i>	The 15-hour USPAP course or equivalent	15 hours
<i>d.</i>	General appraiser market analysis and highest and best use	30 hours
<i>e.</i>	General appraiser site valuation and cost approach	30 hours
<i>f.</i>	General appraiser sales comparison approach	30 hours
<i>g.</i>	General appraiser income approach	60 hours
<i>h.</i>	General appraiser report writing and case studies	30 hours
<i>i.</i>	Statistics, modeling and finance	15 hours
<i>j.</i>	Appraisal subject matter electives	30 hours

**6.2(3) Degree program.** Credit toward core criteria qualifying education requirements may also be obtained via the completion of a degree in real estate from an accredited degree-granting college or university, provided that the college or university has had its curriculum reviewed and approved by the AQB.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—6.3(543D) Examination.** The prerequisite for taking the AQB-approved examination is completion of 300 creditable course hours as specified in subrule 6.2(2). The 300 core criteria hours, collegiate education, and all experience must be completed as specified in subrules 6.2(1) and 6.2(2) and rule 193F—6.4(543D) prior to the examination. For 6.2(2)“c,” equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB. USPAP qualifying education shall be awarded only when the class is instructed by at least one AQB-certified USPAP instructor who holds a state-issued certified residential or certified general appraiser credential in active status and good standing.

**6.3(1)** In order to qualify to sit for the certified general real property appraiser examination, the applicant must:

- a. Complete the board's application form and provide copies of documentation of completion of all courses claimed that qualify the applicant to sit for the examination.
- b. Pay the fee specified in 193F—Chapter 12.
- c. The degree, education and experience must be completed and documentation submitted to the board at the time of application to sit for the examination.

**6.3(2)** The board may verify educational credits claimed. Undocumented credits will be sufficient cause to invalidate the examination results pursuant to 193F—paragraph 3.3(2) “c.”

**6.3(3)** Responsibility for documenting the educational credits claimed rests with the applicant.

**6.3(4)** An applicant must supply the original examination scores when applying for certification. Copies of the scores will not be accepted.

**6.3(5)** If an applicant who has passed an examination does not obtain the related appraiser credential within 24 months after passing the examination, that examination result loses its validity to support issuance of an appraiser credential. To regain eligibility for the credential, the applicant must retake and pass the examination. This requirement applies to individuals obtaining an initial certified credential or upgrading from an associate credential.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—6.4(543D) Supervised experience required for initial certification.** All experience required to obtain certification as a certified general real property appraiser pursuant to Iowa Code section 543D.9 shall be performed under the direct supervision of a certified general real property appraiser pursuant to the provisions of 193F—Chapter 15.

**6.4(1) *Acceptable experience.*** The board will accept as qualifying experience the documented experience attained while the applicant for initial certification was in an educational program recognized by the Appraiser Qualifications Board and Appraisal Subcommittee as providing qualifying experience for certification, whether or not the applicant was registered as an associate real property appraiser at the time the educational program was completed. Such programs, if approved by federal authorities, will incorporate direct supervision by a certified real property appraiser and such additional program features as to satisfy the purpose of requiring that qualifying experience be attained by the applicant as a real property appraiser.

**6.4(2) *Exceptions.***

a. Applicants for certified general real property certification in Iowa who request that the board approve experience performed in the absence of registration as an associate real property appraiser may file an application for approval on a form provided by the board. The burden shall be on the applicant to establish by clear and convincing evidence all of the following:

(1) The experience is qualifying experience under the substantive and documentation standards of the Appraiser Qualifications Board and Appraisal Subcommittee.

(2) Denial of the application would impose an undue hardship on the applicant.

(3) The nature of the experience attained is qualitatively and substantially equivalent to the experience an associate real property appraiser would receive under the direct supervision of a certified real property appraiser pursuant to the standards established in 193F—Chapter 15.

(4) Approval of the application would foster the board's goal of fair and consistent treatment of applicants.

(5) A basis exists beyond the individual control of the applicant to explain why the experience at issue could not have been attained by the applicant under the direct supervision of a certified general real property appraiser.

b. Among the circumstances the board may consider favorably in ruling on an application for approval of unsupervised experience or experience attained by the applicant in the absence of registration as an associate real property appraiser are:

(1) The experience was attained in a jurisdiction that, at the time, did not require direct supervision or register associate real property appraisers or otherwise offer a category of certification.

(2) The applicant attained the experience while employed in a county assessor's office engaged in mass appraisals, and the experience would otherwise qualify under applicable federal standards.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 1731C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19]

**193F—6.5(543D) Demonstration of experience.** The experience necessary for certification pursuant to Iowa Code section 543D.9 must meet the requirements of this rule. The objective of the demonstration of experience is to ensure that, before the applicant is issued a certificate, the applicant has obtained sufficient diversified experience to perform an appraisal.

**6.5(1)** The applicant shall provide to the board an appraisal log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. The appraisal log shall, at a minimum, include all information as described in 193F—subrule 4.2(4).

**6.5(2)** The applicant shall accumulate a total of 3,000 hours of appraisal experience in no fewer than 18 months while in active status, of which 1,500 hours must consist of nonresidential appraisal experience. While the hours may be cumulative, the 18 months must have elapsed before an applicant can be certified. Experience claimed must have been performed in compliance with USPAP where the appraiser demonstrates proficiency in appraisal principles methodology, procedures and reporting conclusions. Acceptable appraisal experience includes, but is not limited to, the following:

- a. Fee and staff appraisal;
- b. Ad valorem tax appraisal;
- c. Review appraisal;
- d. Appraisal analysis;
- e. Appraisal consulting;
- f. Highest and best use analysis;
- g. Feasibility analysis/study; and
- h. Mass appraisal.

**6.5(3)** The types of experience set out in 6.5(2) are intended neither to exclude other sorts of appraisal experience nor to prescribe a specified minimum array of experience. However, an applicant who cannot demonstrate a background of experience of the diversity manifested by this rule shall bear the burden of showing that the applicant's experience is of sufficient quality and diversity to fulfill the objective of the demonstration of experience. A diversity of experience includes, but is not limited to, the following:

- a. Performing all approaches to value (i.e., cost, income, sales);
- b. Various reporting types;
- c. Appropriate use of various forms (e.g., gPAR, 1004) and formats;
- d. Various property types (e.g., vacant land, single-family, multifamily, agricultural, retail, industrial, and special purpose);
- e. Various assignments that include varying scopes of work (e.g., as is, as completed or proposed, foreclosure, rural properties, acreages, estates, eminent domain, use of extraordinary assumption or hypothetical conditions); and
- f. Diversity in value ranges.

**6.5(4)** An applicant may be required to appear before the board or its representative to supplement or verify evidence of experience, which shall be in the form of written reports or file memoranda.

**6.5(5)** The board may require inspection, by the board itself or by its representatives, of documentation relating to an applicant's claimed experience. Such inspection may be made at the board's offices or such other place as the board may designate.

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**193F—6.6(543D) Work product review.**

**6.6(1)** An applicant shall submit a complete appraisal log at the time of application for examination and work product review. The board will then select three appraisals for work product review and request that the applicant submit four paper copies of each report and four paper copies of each work file in addition to an electronic format requested by the board for each of the selected appraisals along with the appropriate form and fee. The fee for work product review of the appraisals is provided in 193F—Chapter 12. The board may select the appraisals at random from the entire log or within certain types of appraisals. The board reserves the right to request one or more additional appraisals if those submitted by the applicant raise issues concerning the applicant's competency or compliance with applicable appraisal standards or the degree to which the submitted appraisals are representative of the applicant's work product. Such additional appraisals may be selected at random from the applicant's log or may be selected specifically to provide an example of the applicant's work product regarding a particular type of appraisal.

**6.6(2)** The board shall treat all appraisals received as public records unless the applicant notifies the board at the time of submission that a submitted appraisal is subject to the confidentiality provisions of appraisal standards or is otherwise confidential under state or federal law. While applicants are encouraged to submit appraisals actually performed for clients, applicants may submit one or more demonstration appraisals if the appraisals are prepared based on factual information in the same manner as applicable to actual appraisal assignments and are clearly marked as demonstration appraisals. Experience gained for work without a traditional client (i.e., a client hiring an appraiser for a business purpose), for example a demonstration appraisal, cannot exceed 50 percent of the total experience requirement.

**6.6(3)** An applicant seeking original or upgrade certification as a certified general real property appraiser shall submit one residential appraisal and two nonresidential appraisals for review.

**6.6(4)** The board, or a committee of the board, will evaluate the submitted work product. The board will submit the appraisals to a peer review consultant for an opinion on the appraiser's compliance with applicable appraisal standards.

**6.6(5)** The work product review process is not intended as an endorsement of an applicant's work product. No applicant or appraiser shall represent the results of work product review in communications with a client or in marketing to potential clients in a manner which falsely portrays the board's work product review as an endorsement of the appraiser or the appraiser's work product. Failure to comply with this prohibition may be grounds for discipline as a practice harmful or detrimental to the public.

**6.6(6)** The board views work product review, in part, as an educational process. While the board may deny an application based on an applicant's failure to adhere to appraisal standards or otherwise demonstrate a level of competency upon which the public interest can be protected, the board will attempt to work with applicants deemed in need of assistance to arrive at a mutually agreeable remedial plan. A remedial plan may include additional education, desk review, a mentoring program, or additional precertification experience.

**6.6(7)** An applicant who is denied certification based on the work product review described in this rule, or on any other ground, shall be entitled to a contested case hearing as provided in rule 193F—20.39(546,543D,272C). Notice of denial shall specify the grounds for denial, which may include any of the work performance-related grounds for discipline against a certified appraiser.

**6.6(8)** If probable cause exists, the board may open a disciplinary investigation against a certificate holder based on the work product review of an applicant. A potential disciplinary action could arise, for example, if the applicant is a certified residential real property appraiser seeking an upgrade to a certified general real property appraiser, or where the applicant is uncertified and is working under the supervision of a certified real property appraiser who cosigned the appraisal report.

**6.6(9)** After accumulating a minimum of 500 hours of appraisal experience, an applicant may voluntarily submit work product to the board to be reviewed by a peer reviewer for educational purposes only. A maximum of three reports may be submitted for review during the experience portion of the certification process. The fee for voluntary submissions of work product for review is provided in 193F—Chapter 12.



**6.6(10)** The board will retain the appraisals for as long as needed as documentation of the board's actions for the Appraisal Subcommittee or as needed in a pending proceeding involving the work product of the applicant or the applicant's supervisor. When no longer needed for such purposes, the work product may be retained or destroyed at the board's discretion.

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**193F—6.7(543D) Background check.** A state and national criminal history check shall be performed on any appraiser upgrading to a new credential. The applicant shall authorize release of the results of the criminal history check to the board. If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board may perform a new state and national criminal history check or may reject and return the application to the applicant.

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CHAPTER 7  
DISCIPLINARY ACTIONS AGAINST CERTIFIED AND  
ASSOCIATE APPRAISERS

**193F—7.1(17A,272C,543D) Disciplinary authority.** The board is empowered to administer Iowa Code chapters 17A, 272C, and 543D and related administrative rules for the protection and well-being of those persons who may rely upon registered associate appraisers or certified real property appraisers for the performance of real property appraisal services within this state and for clients in this state. To perform these functions, the board is broadly vested with authority to review and investigate alleged acts or omissions of registered associate appraisers and certified real property appraisers to determine whether disciplinary proceedings are warranted, to initiate and prosecute disciplinary proceedings, to establish standards of professional conduct, and to impose discipline pursuant to Iowa Code sections 17A.13, 272C.3 to 272C.6 and 272C.10, and Iowa Code chapter 543D.

**193F—7.2(543D) Standards of practice.** The standards of practice governing all real property appraisal activities shall be the Uniform Standards of Professional Appraisal Practice, including Provisions, Rules, Comments, and Statements, as promulgated by the Appraisal Standards Board of the Appraisal Foundation. All registered associate appraisers and certified real property appraisers shall comply with the USPAP edition applicable to each appraisal assignment.

**193F—7.3(17A,272C,543D) Grounds for discipline.** The board may initiate disciplinary action against a registered associate appraiser or a certified real property appraiser based on any one or more of the following grounds:

**7.3(1) *Fraud in procuring a registration or certificate.*** Fraud in procuring or attempting to procure a registration or certificate includes an intentional perversion of the truth when making application for an initial, renewal, reciprocal, or temporary registration or certificate to practice in this state, including:

- a.* False representation of a material fact, whether by word or by conduct, by false or misleading allegation, or by concealment of that which should have been disclosed;
- b.* Attempting to file or filing with the board any false or forged diploma, course certificate, identification, credential, license, registration, certification, examination report, affidavit, or other record;
- c.* Failing or refusing to provide complete information in response to a question on an application for initial or renewal registration or certification; or
- d.* Otherwise participating in any form of fraud or misrepresentation by act or omission.

**7.3(2) *Professional incompetence.*** Professional incompetence includes, but is not limited to:

- a.* A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice.
- b.* A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other practitioners in the state of Iowa acting in the same or similar circumstances.
- c.* A failure to exercise the degree of care which is ordinarily exercised by the average practitioner acting in the same or similar circumstances.
- d.* Failure to conform to the minimal standards of acceptable and prevailing practice of registered associate appraisers or certified real property appraisers in this state.
- e.* A willful, repeated, or material deviation from USPAP standards, or other act or omission that demonstrates an inability to safely practice in a manner protective of the public's interest, including any violation of USPAP's COMPETENCY RULE.

**7.3(3) *Deceptive practices.*** Deceptive practices are grounds for discipline, whether or not actual injury is established, and include:

- a.* Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of real property appraising.
- b.* Use of untruthful or improbable statements in advertisements. Use of untruthful or improbable statements in advertisements includes, but is not limited to, an action by a registrant or certificate holder

in making information or intention known to the public which is false, deceptive, misleading or promoted through fraud or misrepresentation.

c. Acceptance of any fee by fraud or misrepresentation, or in violation of Iowa Code section 543D.18(2).

d. Falsification of business records or appraisal logs through false or deceptive representations or omissions.

e. Submission of false or misleading reports or information to the board including information supplied in an audit of continuing education, reports submitted as a condition of probation, or any reports identified in this rule.

f. Making any false or misleading statement in support of an application for registration or certification submitted by another.

g. Knowingly presenting as one's own a certificate or registration, certificate or registration number, or signature of another or of a fictitious registrant or certificate holder, or otherwise falsely impersonating a certified appraiser or registered associate appraiser.

h. Representing oneself as a registered associate appraiser or certified appraiser when one's registration or certificate has been suspended, revoked, surrendered, or placed on inactive status, or has lapsed.

i. Permitting another person to use the registrant's or certificate holder's registration or certificate for any purposes.

j. Fraud in representations as to skill or ability.

k. Misrepresenting a specialized service as an appraisal assignment in violation of Iowa Code section 543D.18(3) or (5).

**7.3(4) *Unethical, harmful or detrimental conduct.*** Registrants and certificate holders engaging in unethical conduct or practices harmful or detrimental to the public may be disciplined whether or not injury is established. Behaviors and conduct which are unethical, harmful or detrimental to the public may include, but are not limited to, the following actions:

a. A violation of 2007 Iowa Acts, Senate File 137, section 5 (improper influence of an appraisal assignment).

b. Verbal or physical abuse, improper sexual contact, or making suggestive, lewd, lascivious, offensive or improper remarks or advances, if such behavior occurs within the practice of real property appraising or if such behavior otherwise provides a reasonable basis for the board to conclude that such behavior within the practice of real estate appraising would place the public at risk.

c. Engaging in a professional conflict of interest, or otherwise violating the public trust, as provided in Iowa Code section 543D.18(1) as amended by 2007 Iowa Acts, Senate File 137, section 3, and in USPAP's ETHICS RULE.

d. Aiding or abetting any unlawful activity for which a civil penalty can be imposed under 193F—16.2(543D).

**7.3(5) *Lack of proper qualifications.***

a. Continuing to practice as a registered associate appraiser or certified real property appraiser without satisfying the continuing education required for registration or certificate renewal.

b. Acting as a supervisor without proper qualification, as provided in 193F—15.3(543D).

c. Habitual intoxication or addiction to the use of drugs, or impairment which adversely affects the registrant's or certificate holder's ability to practice in a safe and competent manner.

d. Any act, conduct, or condition, including lack of education or experience and careless or intentional acts or omissions, that demonstrates a lack of qualifications which are necessary to ensure a high standard of professional care as provided in Iowa Code section 272C.3(2) "b," or that impairs a practitioner's ability to safely and skillfully practice the profession.

e. Failure to meet the minimum qualifications for registration as an associate appraiser or certification as a certified real property appraiser.

*f.* Practicing outside the scope of a residential certification, or outside the scope of a supervisor's residential certification.

**7.3(6) *Negligence by the registrant or certificate holder in the practice of the profession.*** Negligence by the registrant or certificate holder in the practice of the profession includes:

*a.* Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal.

*b.* A failure to exercise due care including negligent delegation of duties to or supervision of associate appraisers, or other employees, agents, or persons, in developing an appraisal, preparing an appraisal report, or communicating an appraisal, whether or not injury results.

*c.* Neglect of contractual or other duties to a client.

**7.3(7) *Professional misconduct.***

*a.* A violation of any of the standards applicable to the development or communication of real estate appraisals as provided in 193F—7.2(543D).

*b.* Violation of a regulation or law of this state, another state, or the United States, which relates to the practice of real estate appraising.

*c.* Engaging in any conduct that subverts or attempts to subvert a board investigation, or failure to fully cooperate with a disciplinary investigation of the registrant or certificate holder or with a disciplinary investigation of persons who are not registrants or certificate holders, including failure to comply with a subpoena issued by the board or to respond to a board inquiry within 30 calendar days of the date of mailing by certified mail of a written communication directed to the registrant's or certificate holder's last address on file at the board office.

*d.* Revocation, suspension, or other disciplinary action taken by a licensing authority of this state or another state, territory, or country. A stay by an appellate court shall not negate this requirement; however, if such disciplinary action is overturned or reversed by a court of last resort, discipline by the board based solely on such action shall be vacated.

*e.* A violation of Iowa Code section 543D.18 as amended by 2007 Iowa Acts, Senate File 137, section 4 (disclosure of significant real property appraisal assistance), or Iowa Code section 543D.18(6).

*f.* A violation of 2007 Iowa Acts, Senate File 137, section 6 (restrictions on persons assisting in the development or reporting of a certified appraisal).

*g.* Failure to retain records as provided in Iowa Code section 543D.19.

*h.* Violation of the terms of an initial agreement with the impaired practitioner review committee or violation of the terms of an impaired practitioner recovery contract with the impaired practitioner review committee.

**7.3(8) *Willful or repeated violations.*** The willful or repeated violation or disregard of any provision of Iowa Code chapter 272C or 543D, or any administrative rule adopted by the board in the administration or enforcement of such chapters.

**7.3(9) *Failure to report.***

*a.* Failure by a registrant or certificate holder or an applicant for a registration or certificate to report in writing to the board any revocation, suspension, or other disciplinary action taken by a licensing authority, in Iowa or any other jurisdiction, within 30 calendar days of the final action.

*b.* Failure of a registrant or certificate holder or an applicant for a registration or certificate to report, within 30 calendar days of the action, any voluntary surrender of a professional license to resolve a pending disciplinary investigation or action, in Iowa or any other jurisdiction.

*c.* Failure to notify the board of a criminal conviction within 30 calendar days of the action, regardless of the jurisdiction where it occurred.

*d.* Failure to notify the board within 30 calendar days after occurrence of any adverse judgment in a professional or occupational malpractice action, or settlement of any claim involving malpractice, regardless of the jurisdiction where it occurred.

*e.* Failure to report another registrant or certificate holder to the board for any violation listed in these rules, pursuant to Iowa Code section 272C.9(2), promptly after the registrant or certificate holder becomes aware that a reportable violation has occurred.

f. Failure to report to the board the appraiser's principal place of business and any change in the appraiser's principal place of business within 30 calendar days of such change; or failure to report to the board all other addresses at which the appraiser engages in the business of preparing real estate appraisal reports, or any change in such information, within 30 calendar days of such occurrence or change.

g. Failure of an associate appraiser or supervisor to timely respond to board requests for information, as provided in 193F—Chapter 4.

**7.3(10)** *Failure to comply with board order.* Failure to comply with the terms of a board order or the terms of a settlement agreement or consent order, or other decision of the board imposing discipline.

**7.3(11)** *Conviction of a crime.* Conviction, in this state or any other jurisdiction, of any felony related to the profession, or of any crime which is substantially related to the qualifications, functions, duties or practice of a person developing or communicating real estate appraisals to others. Any crime involving deception, dishonesty or disregard for the safety of others shall be deemed substantially related to the practice of real property appraising. A copy of the record of conviction or plea of guilty shall be conclusive evidence. "Conviction" shall include any plea of guilty or nolo contendere, including Alford pleas, or finding of guilt whether or not judgment or sentence is deferred, and whether or not the conviction is on appeal. If such conviction is overturned or reversed by a court of last resort, discipline by the board based solely on the conviction shall be vacated.

[ARC 5237C, IAB 10/21/20, effective 11/25/20]

These rules are intended to implement Iowa Code chapters 17A, 272C and 543D and 2007 Iowa Acts, Senate File 137.

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CHAPTER 9  
RENEWAL, EXPIRATION AND REINSTATEMENT OF  
CERTIFICATES AND REGISTRATIONS, AND INACTIVE STATUS  
[Prior to 2/20/02, see rules 193F—4.2(543D) and 193F—4.5(543D)]

**193F—9.1(272C,543D) Biennial renewal.**

**9.1(1)** Certificates and associate registrations must be renewed on a biennial basis or they shall lapse.

**9.1(2)** Persons whose last names begin with A to K shall renew in even-numbered years. Persons whose last names begin with L to Z shall renew in odd-numbered years. Certificates and registrations shall expire biennially on June 30.

**9.1(3)** An application to renew a certificate or registration shall be submitted on a form obtained from the board office or on the board's website. Applicants may renew electronically through a board-established electronic process, as available.

**9.1(4)** With the exception of continuing education obtained during the 30-day grace period authorized by and subject to and in accordance with subrule 9.4(2), all continuing education claimed on a biennial renewal must have been acquired during the renewal period. In addition, all continuing education claimed on a biennial renewal must have been actually taken and completed prior to the renewal application being submitted to the board.

[ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—9.2(272C,543D) Notices.**

**9.2(1)** It is the policy of the board to mail or send electronic renewal notices to certified and associate appraisers at the last address or email address on file with the board in the May preceding certificate or registration expiration. Neither the failure of the board to send such a notice nor the licensee's failure to receive such a notice shall excuse the requirement to timely renew and pay the renewal fee.

**9.2(2)** Certified and associate appraisers must ensure that their contact information on file with the board office is current and that the board is notified within 30 days of any address change, and report to the board all other addresses at which the appraiser engages in the business of preparing real estate appraisal reports, or any change in such information, within 30 calendar days of any addition or change thereto.

[ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—9.3(272C,543D) Renewal procedures.**

**9.3(1)** *Date of filing.* Certified and associate appraisers shall file a timely and sufficient renewal application with the board by the June 30 deadline in the biennial renewal year. An application shall be deemed filed on the date received by the board, the date of electronic submission or, if mailed, the date postmarked, but not the date metered. Applications to renew that are not timely received by the board shall be treated as applications to reinstate, as provided in rule 193F—9.4(272C,543D).

**9.3(2)** *Continuing education.* An applicant for renewal shall report the applicant's compliance with the continuing education requirements provided in 193F—Chapter 11. Full compliance with applicable continuing education requirements is a condition of renewal in active status. Applications to renew certificates or registrations in active status that do not, on their face, demonstrate full compliance with all applicable continuing education requirements shall be rejected as insufficient, as provided in subrule 9.3(4).

**9.3(3)** *Background disclosures.* An applicant for renewal shall disclose such background and character information as the board requests, which may include disciplinary action taken by any jurisdiction regarding a professional license of any type, the denial of an application for a professional license of any type by any jurisdiction, and the conviction of any crime.

**9.3(4)** *Insufficient applications.* The board shall reject applications that are insufficient. A sufficient application within the meaning of Iowa Code section 17A.18(2) must:

*a.* Be on a form prescribed by the board or, in the event there are no paper forms, be submitted through the state's database;

- b. Be signed by the applicant, be certified as accurate, or display an electronic signature by the applicant if submitted electronically;
- c. Be fully completed;
- d. Reflect, on its face, full compliance with all applicable continuing education requirements; and
- e. Be accompanied by the proper fee. The fee shall be deemed improper if, for instance, the amount is incorrect, the fee was not included with the application, the credit card number provided by the applicant is incorrect, the date of expiration of a credit card is omitted or incorrect, the attempted credit card transaction is rejected, or the applicant's check is returned for insufficient funds or written on a closed account.

**9.3(5) *Resubmission of rejected applications.*** The board shall promptly notify an applicant of the basis for rejecting an insufficient renewal application, and shall return or refund any fees received. Applicants for certificate or registration renewal may remedy the insufficiency and resubmit applications that were rejected as insufficient. Resubmitted applications shall be deemed received when personally delivered to the board office, on the date of electronic submission or, if mailed, the date postmarked, but not the date metered. Resubmitted applications to renew that are not timely received by the board shall be treated as applications to reinstate, as provided in rule 193F—9.4(272C,543D).

**9.3(6) *Administrative processing not determinative.*** The administrative processing of an application to renew a certificate or registration shall not prevent the board from subsequently commencing a contested case to challenge the applicant's qualifications for continued licensure or to assert disciplinary charges if grounds exist to do so. The board may take such an action, for example, if an application to renew reflects full compliance with continuing education, but the licensee is unable to document compliance in a subsequent audit.

**9.3(7) *Denial of timely and sufficient application to renew.*** If grounds exist to deny a timely and sufficient application to renew, the board shall send written notification to the applicant stating the grounds for denial. The procedures described in rule 193F—20.40(546,543D,272C) shall apply.

[ARC 4379C, IAB 3/27/19, effective 5/1/19; ARC 5237C, IAB 10/21/20, effective 11/25/20]

#### **193F—9.4(272C,543D) Failure to renew.**

**9.4(1)** The certificate or registration of a certified or associate appraiser shall lapse unless the appraiser submits a timely and sufficient renewal application by the expiration date.

**9.4(2)** A certified or associate appraiser may renew a certificate or registration after the expiration date by submitting a sufficient renewal application and biennial renewal fee, accompanied by the late renewal fee as provided in 193F—Chapter 12, within 30 calendar days of the expiration date. The board will allow the reinstatement of a lapsed certificate or registration during the 30-day period following expiration for an appraiser who did not complete all required continuing education during the prior biennium but who will have sufficient continuing education if courses completed during the 30-day period following lapse are included. The continuing education completed between July 1 and July 30 that fulfills a shortage of continuing education in the prior biennium shall not be counted toward the continuing education required in a subsequent renewal.

**9.4(3)** If a certified or associate appraiser fails to renew within the 30-day grace period provided for in subrule 9.4(2), the appraiser shall be required to reinstate in accordance with subrule 9.4(5).

**9.4(4)** Certified and associate appraisers are not authorized to practice or to hold themselves out to the public as certified or registered appraisers during the period of time that the certificate or registration is lapsed, including during the 30-day grace period following the lapse. Any violation of this subrule shall be grounds for discipline.

**9.4(5) Reinstatement.** The board may reinstate a lapsed certificate or registration upon the applicant's submission of an application to reinstate and completion of all of the following:

- a. Paying a penalty as provided in rule 193F—12.1(543D); and
- b. Paying the current renewal fee as provided in rule 193F—12.1(543D); and
- c. Paying the ASC National Registry fee as provided in rule 193F—12.1(543D); and



d. Providing evidence of completed continuing education outlined in rule 193F—11.2(272C,543D), as modified for associate appraisers in subrule 9.4(6), if the licensee wishes to reinstate to active status; and

e. Providing a written statement outlining the professional activities of the applicant in the state of Iowa during the period in which the applicant's certificate or registration was lapsed. The statement shall describe all appraisal services performed, with or without the use of the titles described in Iowa Code section 543D.15, for all appraisal assignments that are required by federal or state law, rule, or policy to be performed by a certified real estate appraiser.

**9.4(6)** Special continuing education requirements for reinstating associate appraisers. The board seeks to ensure that associate appraisers make progress toward full completion of all qualifying education required for eventual certification, as provided in rules 193F—5.2(543D) and 193F—6.2(543D). As a result, an associate appraiser applying to reinstate a registration that has been lapsed for 12 months or longer shall apply, in addition to the most recent 7-hour USPAP course, only qualifying education toward the continuing education required for reinstatement, until all qualifying education has been completed. All qualifying education taken as continuing education may also be applied as qualifying education toward certification. If the applicant has already completed all qualifying education or is required to have continuing education hours beyond those needed to fully complete all qualifying education, the applicant may use any approved continuing education course in addition to the mandatory 7-hour USPAP course. [ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—9.5(272C,543D) Inactive status.**

**9.5(1) General purpose.** This rule establishes a procedure under which a person issued a certificate or associate registration may apply to the board to register in inactive status. Registration under this rule is available to a certificate holder or associate registrant residing within or outside the state of Iowa who is not engaged in Iowa in any practice for which a certificate or associate registration is required. A person eligible to register as inactive may, as an alternative to such registration, allow a certificate or associate registration to lapse. The board will continue to maintain a data base on persons registered as inactive, including information which may not routinely be maintained after a certificate or associate registration has lapsed through failure to renew. A person who registers as inactive will accordingly receive renewal applications, board newsletters and other mass communications from the board. Because a person registered in inactive status may not practice in Iowa or hold oneself out to the public as authorized to practice as a certified appraiser or registered associate appraiser, such person is not required to complete continuing education.

**9.5(2) Eligibility.** A person holding a lapsed or active certificate as a real property appraiser, or a lapsed or active registration as a registered associate, which has not been revoked or suspended may apply on forms provided by the board to register as inactive if the person is not engaged in the state of Iowa in any practice for which a certificate or associate registration is required. Such a person may be actively engaged in the practice of real estate appraising in another jurisdiction. Such a person may also engage in such appraisal practices as may be performed in Iowa by persons who do not hold a certificate as a real property appraiser or associate registration as long as the person does not hold oneself out to the public as a certified or associate real estate appraiser.

**9.5(3) Affirmation.** The application form shall contain a statement in which the applicant affirms that the applicant will not engage in any practice prohibited by subrule 9.5(2) in Iowa without first complying with all rules governing reactivation to active status. A person in inactive status may reactivate to active status at any time pursuant to subrule 9.5(6).

**9.5(4) Renewal.** A person registered as inactive may renew the person's certificate or associate registration on the biennial schedule described in 193F—9.1(272C,543D). Such person is exempt from the continuing education requirements for renewal and will be charged a reduced rate, as provided in 193F—Chapter 12. An inactive certificate or associate registration shall lapse if not timely renewed. An active certificate holder or associate registrant may renew as inactive if such person has not completed all continuing education requirements and may thereafter apply for active status when the deficiency has been remedied.

**9.5(5) *Grounds for discipline.*** Certified and associate appraisers are not authorized to practice or to hold themselves out to the public as certified or registered appraisers during the period of time that the certificate or registration is in inactive status. Any violation of this subrule shall be grounds for discipline.

**9.5(6) *Reactivation.*** A person registered as inactive shall apply to reactivate to active status prior to engaging in any practice in Iowa that requires certification or associate registration. An application to reactivate to active status shall be on a form provided by the board, shall demonstrate full compliance with all applicable continuing education requirements, and shall be accompanied by a fee to reactivate an inactive license and the biennial fee for active status as provided in rule 193F—12.1(543D). Prior to reactivation to active status, the applicant must complete all education that would have been required had the applicant been on active status, including the most recent seven-hour USPAP update course. All such continuing education must be verified whether or not the applicant has been in active practice in another jurisdiction. Additionally, the special continuing education requirements that apply to associate appraisers reinstating a lapsed registration, as provided in subrule 9.4(6), shall apply to associate appraisers reactivating to active status following a period of inactive status of 12 months or longer. Such an applicant shall be given credit for the most recent renewal fees previously paid if the applicant applies to reactivate in the same biennium at other than the applicant's regular renewal date. An applicant changing from active to inactive status during a biennial renewal period shall not, however, be entitled to a refund of any of the fees previously paid to attain active status.

[ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—9.6(272C,543D) Property of the board.** Every certificate or associate registration issued by the board shall, while it remains in the possession of the holder, be preserved by the holder but shall, nevertheless, always remain the property of the board. In the event that a certificate or associate registration is revoked or suspended, or is not renewed, or is registered in inactive status, it shall, on demand, be delivered by the holder to the board. The board shall generally not request return of a certificate or associate registration if it has not been revoked, suspended or voluntarily surrendered in a disciplinary action, but may do so if the board reasonably determines that grounds exist to believe that a person holding a lapsed or inactive certificate or associate registration has engaged in a practice for which active certification or registration is required.

These rules are intended to implement Iowa Code section 543D.5.

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## CHAPTER 10 RECIPROCITY

[Prior to 2/20/02, see 193F—Chapter 5]

### **193F—10.1(543D) Nonresident certification by reciprocity.**

**10.1(1)** A nonresident of Iowa seeking certification in this state shall apply on forms provided by the board and pay the appropriate fee required in rule 193F—12.1(543D).

**10.1(2)** The board may issue a reciprocal certificate to a nonresident individual who is certified and demonstrates good standing in another state. An appraiser who is listed in good standing on the National Registry of the Appraisal Subcommittee satisfies the requirement that good standing be demonstrated and does not need to submit additional documentation. An appraiser who is not listed in good standing on the National Registry of the Appraisal Subcommittee must supply an official letter of good standing issued by the licensing board of the appraiser's resident state and bearing its seal. An appraiser may verify the appraiser's status on the National Registry of the Appraisal Subcommittee by accessing the website at [www.asc.gov](http://www.asc.gov).

**10.1(3)** A reciprocal certified appraiser shall comply with all provisions of Iowa law and rules.

**10.1(4)** Reciprocal certified appraisers shall be required to pay the federal registry fee as required in rule 193F—12.3(543D).

[ARC 1197C, IAB 11/27/13, effective 1/1/14]

### **193F—10.2(543D) Nonresident temporary practice.**

**10.2(1)** The board will recognize, on a temporary basis, the certification of an appraiser issued by another state.

**10.2(2)** The appraiser must register with the board and identify the property(ies) to be appraised, the name and address of the client and the estimated length of time the appraiser will be in the state. The appraiser must demonstrate good standing to be considered for a temporary practice permit. An appraiser who is listed in good standing on the National Registry of the Appraisal Subcommittee satisfies the requirement that good standing be demonstrated and does not need to submit additional documentation. An appraiser who is not listed in good standing on the National Registry of the Appraisal Subcommittee must supply an official letter of good standing issued by the licensing board of the appraiser's resident state and bearing its seal. An appraiser may verify the appraiser's status on the National Registry of the Appraisal Subcommittee by accessing the website at [www.asc.gov](http://www.asc.gov). Registration shall be on a form provided by the board and submitted to the board office prior to the performance of the appraisal. The appraiser shall pay the appropriate fee as required in 193F—12.1(543D).

**10.2(3)** An appraiser holding an inactive or lapsed certificate as a real estate appraiser in Iowa may apply for a temporary practice permit if the appraiser holds an active, unexpired certificate as a real estate appraiser in good standing in another jurisdiction and is otherwise eligible for a temporary practice permit.

**10.2(4)** An appraiser who was previously a registered associate or certified appraiser in Iowa whose Iowa registration or certificate has been revoked or surrendered in connection with a disciplinary investigation or proceeding is ineligible to apply for a temporary practice permit in Iowa.

**10.2(5)** The board may deny an application for a temporary practice permit if the applicant has been disciplined in Iowa or another jurisdiction, a disciplinary investigation or proceeding is pending in Iowa, the person has been convicted of a crime that is a ground for discipline in Iowa, or it appears the applicant is applying for a temporary permit because the applicant would not qualify to renew or reinstate in active status in Iowa and the application for a temporary permit is made primarily to compromise compliance with Iowa laws and rules.

**10.2(6)** An appraiser holding an inactive or lapsed Iowa certificate who applies to reinstate to active status in Iowa shall not be given credit for any fees paid during the biennial period for one or more temporary practice permits.

**10.2(7)** An appraiser holding a license to practice as a real estate appraiser in another jurisdiction may practice in Iowa without applying for a temporary practice permit or paying any fees as long as

the appraiser does not perform appraisal services in Iowa for which certification is required by state or federal law, rule or policy.

**10.2(8)** The board must receive and approve an application for a temporary practice permit before the applicant is eligible to practice in Iowa under a temporary practice permit. Applicants are encouraged to submit applications by email or facsimile to avoid the possible delays of mail service, because the board will not approve an application with a retroactive start date. The board shall grant or deny all applications for temporary practice permits as quickly as reasonably feasible and no later than five days of receipt of a completed application. Applicants shall use the form prescribed by the board. Applicants disclosing discipline or criminal convictions shall attach documentation from which the board can determine if the discipline or criminal history would be a ground to deny the application. Falsification of information or failure to disclose material information shall be a ground to deny the application and may form the basis to deny any subsequent application or an application to reinstate a lapsed or inactive Iowa certificate.

[ARC 9865B, IAB 11/30/11, effective 1/4/12; ARC 5237C, IAB 10/21/20, effective 11/25/20]

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CHAPTER 11  
CONTINUING EDUCATION  
[Prior to 2/20/02, see 193F—Chapter 6]

**193F—11.1(272C,543D) Definitions.** For the purpose of these rules, the following definitions shall apply:

*“Approved program”* means a continuing education program, course, or activity that satisfies the standards set forth in these rules and has received advance approval of the board pursuant to these rules.

*“Approved provider”* means a person or an organization that has been approved by the board to conduct continuing education programs pursuant to these rules.

*“Board”* means the Iowa real estate appraiser examining board.

*“Continuing education”* means education which is obtained by a person certified to practice real estate appraising in order to maintain, improve, or expand skills and knowledge obtained prior to initial certification or registration, or to develop new and relevant skills and knowledge, all as a condition of renewal.

*“Credit hour”* means the value assigned by the board to a continuing education program.

*“Distance education”* means any education process based on the geographical separation of student and instructor. “Distance education” includes computer-generated programs and webinars.

*“Guest speaker”* means an individual who teaches an appraisal education program on a one-time-only or very limited basis and who possesses a unique depth of knowledge and experience in the subject matter.

*“Hour”* means 50 minutes of instruction.

*“Live instruction”* means an educational program delivered in a classroom setting where both the student and the instructor are present in the same room.

[ARC 9865B, IAB 11/30/11, effective 1/4/12; ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—11.2(272C,543D) Continuing education requirements.**

**11.2(1)** Certified residential, certified general and associate appraisers must demonstrate compliance with the following continuing education requirements as a condition of biennial renewal:

a. A minimum of 28 credit hours in approved continuing education programs must be acquired during the two-year renewal period. Carryover hours from a previous renewal period are not allowed.

b. The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases the appraiser’s skill, knowledge and competency in real estate appraising. Credit may be granted for educational offerings that are consistent with the purpose of continuing education. A minimum of 21 of the required 28 credit hours must involve courses that address one or more of the subject areas listed in subrule 11.4(2).

c. Appraisers must successfully complete the seven-hour National USPAP Update Course, or its equivalent, each two-year renewal cycle. Equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB. USPAP continuing education credit shall be awarded only when the class is instructed by an AQB-certified instructor(s) and when the class is instructed by at least one state-certified residential or state-certified general appraiser. Individuals who are credentialed in more than one jurisdiction shall not have to take more than one seven-hour National USPAP Update Course within a two-calendar-year period for the purposes of meeting AQB criteria.

d. With the exception of continuing education obtained during the 30-day grace period authorized by and subject to and in accordance with 193F—subrule 9.4(2), all continuing education claimed on a biennial renewal must have been acquired during the renewal period. In addition, all continuing education claimed on a biennial renewal must have been actually taken and completed prior to the renewal application being submitted to the board.

**11.2(2)** All continuing education credit hours may be acquired in approved classroom or distance education programs.

**11.2(3)** A maximum of 14 of the required 28 credit hours may be claimed by an instructor for teaching one or more approved continuing education programs in an amount equal to the credit hours

approved for attendees. Instructors claiming such credit must teach the appraisal course during the renewal cycle in which credit is claimed and may not claim the course more than once in the renewal cycle. The board may request supportive documentation to ascertain course content and to verify the date(s), time, place and hours taught.

**11.2(4)** An applicant seeking to renew an initial certificate or registration issued less than 185 days prior to renewal is not required to report any continuing education. An applicant seeking to renew an initial certificate or registration issued for 185 days to 365 days prior to renewal must demonstrate completion of at least 14 credit hours, including 7 credit hours of the most recent National USPAP Update. An applicant seeking to renew an initial certificate or registration issued 365 days prior to renewal or more must demonstrate completion of at least 28 credit hours, including 7 credit hours of the most recent National USPAP Update.

**11.2(5)** Prior to reinstatement or reactivation of a certified general registration or a certified residential registration, a certified credential holder in inactive or lapsed status must complete all required continuing education hours that would have been required if the certified credential holder was in active status. The required hours must also include the most recent edition of a 7-hour National USPAP Update Course. Waivers may not be granted to credential holders who have failed to meet the continuing education requirements.

**11.2(6)** During each two-year renewal period, a continuing education program may be taken for credit only once, except USPAP courses.

**11.2(7)** Successful completion of a continuing education program requires that at least 50 minutes of every class hour be attended by the student. Continuing education credits shall not be granted to attendees who are present for less than 50 minutes of every class hour.

**11.2(8)** An applicant may claim continuing education credits that have been approved by another jurisdiction that has a continuing education requirement for renewal of a real estate appraisal certificate if the applicable program was approved by the other jurisdiction's appraisal regulatory body or the AQB for continuing education purposes at the time the applicant completed the course. The burden of proof is on the applicant to demonstrate that a claimed course was approved by either the other jurisdiction or the AQB for continuing education purposes at the time the applicant completed the course. All other programs must be approved upon application to the board pursuant to rules 193F—11.4(272C,543D), 193F—11.5(272C,543D) and 193F—11.6(272C,543D).

**11.2(9)** A person certified or registered to practice real estate appraising in Iowa shall be deemed to have complied with Iowa's continuing education requirements for periods in which the person is a resident of another state or district having continuing education requirements for real estate appraising and meets all requirements of that state or district. Waivers may not be granted to credential holders who have failed to meet the continuing education requirements. Deferrals may not be granted to credential holders, except in the case of persons returning from active military duty. Credential holders returning from active military duty may be placed in active status for a period of up to 90 days pending completion of all continuing education requirements. To qualify, the credential holder must submit a request in writing and provide a copy of the military orders.

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 9865B, IAB 11/30/11, effective 1/4/12; ARC 0412C, IAB 10/31/12, effective 12/5/12; ARC 0635C, IAB 3/6/13, effective 4/10/13; ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—11.3(272C,543D) Hardship and disability provisions.** Rescinded IAB 5/20/09, effective 6/24/09.

**193F—11.4(272C,543D) Minimum program qualifications.**

**11.4(1)** Continuing education programs, as a condition of board approval, must provide a formal program of learning that contributes to the growth in the professional knowledge and professional competence of real estate appraisers.

**11.4(2)** Continuing education programs dealing with the following subject areas that are integrally related to appraisal topics and that will generally be acceptable include, but are not limited to:

- a. Ad valorem taxation;

- b.* Agriculture production and economics;
- c.* Agronomy/soil;
- d.* Approaches to value;
- e.* Arbitrations, dispute resolution;
- f.* Courses related to the practice of real estate appraisal or consulting;
- g.* Construction cost or development cost estimating;
- h.* Ethics and standards of professional practice, USPAP;
- i.* Land use planning or zoning;
- j.* Management, leasing, time sharing;
- k.* Property development, partial interests;
- l.* Real estate appraisal law and rules;
- m.* Real estate appraisal (valuations/evaluations);
- n.* Real estate law, easements, and legal interests;
- o.* Real estate litigation, damages, condemnation;
- p.* Real estate financing and investment;
- q.* Real estate appraisal-related computer applications;
- r.* Real estate securities and syndication;
- s.* Developing opinions of real property value in appraisals that also include personal property or business value, or both;
- t.* Seller concessions and impact on value;
- u.* Energy efficient items and “green building” appraisals; and
- v.* Real estate appraisal technology (e.g., drones).

**11.4(3)** The following programs will not be acceptable:

- a.* Sales promotion meetings held in conjunction with the appraiser’s general business;
- b.* Time devoted to breakfast, lunch or dinner;
- c.* A program certified by the use of a challenge examination. The required number of hours must be completed to receive credit hours;
- d.* Programs that do not provide at least two credit hours.

**11.4(4)** Continuing education credit will be granted only for whole hours, with a minimum of 50 minutes constituting one hour. For example, 100 minutes of continuous instruction would count as two credit hours; however, more than 50 minutes but less than 100 minutes of continuous instruction would only count as one hour.

**11.4(5)** Continuing education credit may be approved for university or college courses in qualifying topics according to the following formula: Each semester hour of credit shall equal 15 credit hours and each quarter hour of credit shall equal 10 credit hours.

[ARC 9865B, IAB 11/30/11, effective 1/4/12; ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—11.5(272C,543D) Standards for provider and program approval.** Providers and programs must satisfy the following minimum standards in order to be preapproved in accordance with the procedures established in rule 193F—11.4(272C,543D) and in order to maintain approved status.

**11.5(1)** The program must be taught or developed by individuals who have the education, training and experience to be considered experts in the subject matter of the program and competent in the use of teaching methods appropriate to the program.

**11.5(2)** Live instruction programs must be taught by instructors who have successfully completed an instructor development workshop within 24 months preceding board approval of the program. Certified USPAP instructors shall be considered to have met this requirement.

**11.5(3)** In determining whether an instructor is qualified to teach a particular program, the board will consider whether the instructor has an ability to teach and an in-depth knowledge of the subject matter.

**11.5(4)** An instructor may demonstrate the ability to teach by meeting one or more of the following criteria:

- a.* Hold a bachelor's degree or higher in education from an accredited college (attach a copy of transcripts);
- b.* Hold a current teaching credential or certificate in any real estate or real estate-related fields (attach copy);
- c.* Hold a certificate of completion in the area of instruction from an instructor institute, workshop or school that is sponsored by a member of the Appraisal Foundation (detail specific teaching experiences);
- d.* Hold a full-time current appointment to the faculty of an accredited college;
- e.* Other, as the board may determine.

**11.5(5)** An instructor may demonstrate in-depth knowledge of the program's subject matter by meeting one or more of the following criteria:

- a.* Hold a bachelor's degree or higher from an accredited college with a major in a field of study directly related to the subject matter of the course the instructor proposes to teach, such as business, economics, accounting, real estate or finance (attach copy of transcript);
- b.* Hold a bachelor's degree or higher from an accredited college and have five years of appraisal experience related to the subject matter of the course the instructor proposes to teach (attach copy of transcript and document how the instructor's experience is related to the subject matter the instructor proposes to teach);
- c.* Hold a generally recognized professional real property appraisal designation or be a sponsor member of the Appraisal Foundation;
- d.* Other, as the board may determine.

**11.5(6)** Only AQB-certified USPAP instructors, listed on the website of the Appraisal Foundation may teach the national USPAP courses including the 15-hour tested course and the 7-hour continuing education course.

**11.5(7)** Course content and materials must be accurate, consistent with currently accepted standards relating to the program's subject matter and updated no later than 30 days after the effective date of a change in standards, laws or rules.

**11.5(8)** Programs must have an appropriate means of written evaluation by participants. Evaluations shall include the relevance of the materials, effectiveness of presentation, content, facilities, and such additional features as are appropriate to the nature of the program.

**11.5(9)** No part of any course shall be used to solicit memberships in organizations, recruit appraisers for affiliation with any organization or advertise the merits of any organization or sell any product or service.

**11.5(10)** Providers must clearly inform prospective participants of the number of credit hours preapproved by the board for each program and all applicable policies concerning registration, payment, refunds, attendance requirements and examination grading.

**11.5(11)** Procedures must be in place to monitor whether the person receiving credit hours is the person who attended or completed the program.

**11.5(12)** Providers must be accessible to students during normal business hours to answer questions and provide assistance as necessary.

**11.5(13)** Providers must comply with or demonstrate exemption from the provisions of Iowa Code sections 714.14 to 714.25.

**11.5(14)** Providers must designate a coordinator in charge of each program who will act as the board's contact on all compliance issues.

**11.5(15)** Programs shall not offer more than eight credit hours in a single day.

**11.5(16)** Providers shall not provide any information to the board, the public or prospective students which is misleading in nature. For example, providers may not refer to themselves as a "college" or "university" unless qualified as such under Iowa law.

**11.5(17)** Providers must establish and maintain for a period of five years complete and detailed records on the programs successfully attended by each Iowa participant.

**11.5(18)** Providers must issue an individual certificate of attendance to each participant upon successful completion of the program. The certificate must be no larger than 8½" × 11" and must



include the provider name and number, program name and number, name of attendee, date program was completed, number of approved credit hours, and the signature of the coordinator or other person authorized by the board.

**11.5(19)** Program providers and instructors are solely responsible for the accuracy of all program materials, instruction and examinations. Board approval of a provider or program is not an assurance or warranty of accuracy and shall not be explicitly or implicitly marketed or advertised as such.

**11.5(20)** Providers must apply for approval using forms prescribed by the board.  
[ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—11.6(272C,543D) Acceptable distance education courses.** Distance education is an education process based on the geographical separation of student and instructor. A distance education course is acceptable to meet class hour requirements if:

**11.6(1)** The course provides interaction. Interaction is a reciprocal environment in which the student has verbal or written communication with the instructor; and

**11.6(2)** Content approval is obtained from the AQB, a state licensing jurisdiction, or an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. Nonacademic credit college courses provided by a college shall be approved by the AQB or the state licensing jurisdiction; and

**11.6(3)** Course delivery mechanism approval is obtained from one of the following sources:

- a. AQB-approved organizations providing approval of course design and delivery; or
- b. A college or university that qualifies for content approval pursuant to subrule 11.6(2) that awards academic credit for the distance education course; or
- c. A qualifying college or university for content approval with a distance education delivery program that approves the course design and delivery that incorporate interactivity.

**11.6(4)** Distance education courses must include at least one of the following:

- a. A written examination proctored by an official approved by the college or university, or by the sponsoring organization. The term “written” in this subrule refers to an examination that may be written on paper or administered electronically on a computer or other device. Oral examinations are not acceptable.

- b. Successful completion of prescribed course mechanisms required to demonstrate knowledge of the subject matter.

[ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—11.7(272C,543D) Applications for approval of programs.** Applications for approval of programs must be submitted on forms prescribed by the board. All non-AQB courses are approved for 24 months, including the month of approval. AQB-approved courses are approved through the AQB expiration date, which may be longer than 24 months from the date of approval.

**11.7(1)** Approval must be obtained for each program separately.

**11.7(2)** A nonrefundable fee of \$50 must be submitted for each program except for programs that are submitted for approval by the primary provider and that have been approved by the Appraiser Qualifications Board through the Course Approval Program (CAP).

**11.7(3)** All required forms and attachments must be submitted for approval at least 30 days prior to the first offering of each program. The board will approve or deny each program, in whole or part, within 15 days of the date the board receives the fee and fully completed application.

**11.7(4)** Application forms for non-AQB CAP courses will request information including, but not limited to, the following:

- a. Program description;
- b. Program purpose;
- c. Learning objectives that specify the level of knowledge or competency the student should demonstrate upon completing the program;
- d. Description of the instructional methods utilized to accomplish the learning objective;

- e. Identifying information for all guest speakers or instructors and such documentation as is necessary to verify compliance with the instructor qualifications described in subrule 11.5(5);
- f. Copies of all instructor and student program materials;
- g. Copies of all examinations and a description of all grading procedures;
- h. A description of the diagnostic assessment method(s) used when examinations are not given;
- i. Such information as needed to verify compliance with board rules;
- j. The name, address, telephone number, and email address for the program's coordinator;
- k. Such other information as the board deems reasonably needed for informed decision making.

**11.7(5)** Application forms for courses that are AQB CAP-approved shall include information as deemed necessary for accurate documentation but may be more limited than information required in subrule 11.7(4).

**11.7(6)** The board shall assign each provider and program a number. This number shall be placed on all correspondence with the board, all subsequent applications by the same provider, and all certificates of attendance issued to participants.

[ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—11.8(272C,543D) Waiver of application fees.** Application fees may be waived for approved programs sponsored by a federal, state, or local governmental agency when the program is offered at no cost or at a nominal cost to participants. A request for waiver of application fees should be made by the provider or certificate holder at the time the application is filed with the board.

**193F—11.9(272C,543D) Authority to approve education.** The executive officer has the authority to approve or deny education applications subject to the applicant's right to a hearing as provided for in rule 193F—11.13(272C,543D).

[ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—11.10(272C,543D) Appraiser request for preapproval of continuing education programs.** An appraiser seeking credit for attendance and participation in a program which is to be conducted by a provider not accredited or otherwise approved by the board shall apply for approval to the board at least 15 days in advance of the commencement of the activity. The board shall approve or deny the application in writing. Application for prior approval of a continuing education activity shall include the following fee and information:

1. Application fee of \$25;
2. School, firm, organization or person conducting the program;
3. Location of the program;
4. Title and hour-by-hour outline of the program, course or activity;
5. Credit hours requested for approval;
6. Date of program; and
7. Principal instructor(s).

**193F—11.11(272C,543D) Appraiser request for postapproval of continuing education program.** An appraiser seeking credit for attendance and participation in a program that was not conducted by an approved provider or approved by the licensing authority in another state or otherwise approved by the board shall submit to the board a request for credit for the program. Within 15 days after receipt of the request, the board shall advise the requester in writing whether the program is approved and the number of hours allowed. Appraisers not complying with the requirement of this rule may be denied credit for the program. Application for postapproval of a continuing education program shall include the following fee and information:

1. Application fee of \$25;
2. School, firm, organization or person conducting the program;
3. Location of the program;
4. Title of program and description of program;
5. Credit hours requested for approval;

6. Dates of program;
7. Principal instructor(s); and
8. Verification of attendance.

**193F—11.12(272C,543D) Review of provider or program.** The board on its own motion or upon receipt of a complaint or negative evaluation may monitor or review any approved program or provider and, upon evidence of significant variation in the program presented from the program approved, a violation of board rules, or material misstatement or omission in the application form, may withdraw approval of the provider or program and disallow all or any part of the approved hours granted to the provider. The provider, as a condition of approval, agrees to allow the board or its authorized representatives to monitor ongoing compliance with board rules through means including, but not limited to, unannounced attendance at programs.

**193F—11.13(272C,543D) Hearings.** In the event of denial, in whole or in part, of any application for approval of a continuing education program or provider, or credit for a continuing education program, or withdrawal of approval of a continuing education program or provider, the provider or appraiser may, within 30 days of the date of mailing of the notice of denial or withdrawal, request a contested case hearing before the board, as provided in rule 193F—20.8(17A).

[ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 4379C, IAB 3/27/19, effective 5/1/19]

These rules are intended to implement Iowa Code sections 543D.5, 543D.9 and 543D.16 and chapter 272C.

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## CHAPTER 12

## FEES

[Prior to 2/20/02, see 193F—Chapter 10]

**193F—12.1(543D) Required fees.** The following fee schedule applies to certified general, certified residential and associate appraisers.

Initial examination application fee	\$150
Examination fee (and reexamination fee)	\$145
Biennial registration fee for active status (initial, reciprocal, renewal):	
Certified real property appraiser > one year	\$200
Certified real property appraiser < one year	\$100
Associate real property appraiser > one year	\$200
Associate real property appraiser < one year	\$100
Biennial registration fee for inactive status (initial, reciprocal, renewal):	
Certified real property appraiser	\$100
Associate real property appraiser	\$50
Temporary practice permit fee (each request)	\$100
Fee to reinstate a lapsed license (lapsed to active status)	\$150 (plus the registration fee)
Fee to reactivate an inactive license (inactive to active status)	\$50 (plus the registration fee)
Formal wall certificate	\$25
Work product review fees:	
Original submission, certified residential	\$300
Original submission, certified general	\$650
Additional residential reports as requested by the board	\$150 per report
Additional nonresidential reports as requested by the board	\$250 per report
Voluntary submission of residential reports for review	\$150 per report
Voluntary submission of nonresidential reports for review	\$250 per report
Course application fee (non-AQB-approved courses and secondary providers)	\$50
Pre-/post-course application fee	\$25
Background check	\$51
ASC National Registry fee > one year, separate from registration fee	\$80
ASC National Registry fee < one year, separate from registration fee	\$40
Fee to add supervisory appraiser	\$25
Fee to add course instructor	\$10
Waiver to administrative rules	\$25
Late renewal fee (associate, certified)	\$50

[ARC 7774B, IAB 5/20/09, effective 6/24/09; ARC 9667B, IAB 8/10/11, effective 9/14/11; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—12.2(543D) Prorating of registration fees.** An applicant applying for initial or reciprocal registration or certification within 12 months from the applicant's required renewal date, pursuant to rule 193F—9.1(543D), shall pay half the required fee. An applicant applying for initial or reciprocal registration or certification more than 12 months from the applicant's required renewal date shall pay the full registration fee. An applicant applying to reinstate or reactivate a lapsed registration or certification within 12 months from the applicant's required renewal date, pursuant to rule 193F—9.1(543D), shall pay half the required renewal fee plus the applicable reactivation or reinstatement fee. An applicant applying to reinstate or reactivate a lapsed registration or certification more than 12 months from the applicant's required renewal date shall pay the full renewal fee plus the applicable reactivation or reinstatement fee.

[ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—12.3(543D) Federal registry fee.** The board shall collect and transmit to the Federal Financial Institutions Examination Council, on an annual basis, a roster of individuals who have received certification or registration as real property appraisers and a registry fee of \$40 for each individual listed on the roster. The registry fee is included in the registration fee.

[ARC 9667B, IAB 8/10/11, effective 9/14/11]

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## CHAPTER 15 SUPERVISOR RESPONSIBILITIES

**193F—15.1(543D) Description.** The importance of the role of the supervisory appraiser places ethical and professional standards on those who serve in this capacity. The function of the supervisory appraiser is to help adequately prepare an associate to demonstrate professional competence and work independently upon issuance of full licensure. The supervisor is considered an integral part of the training process, and supervision should be considered a full-time, hands-on responsibility.

[ARC 0881C, IAB 7/24/13, effective 8/28/13; ARC 1732C, IAB 11/12/14, effective 12/17/14]

**193F—15.2(543D) Supervisory appraiser responsibilities.** Supervisory appraisers shall:

1. Ensure that the information presented in the appraisal report is accurate and dependable in order to provide a valid and credible report.
2. Adequately supervise an associate in the data-gathering process to ensure that the associate is correctly and properly collecting pertinent and factual data for analysis.
3. Ensure that the associate is knowledgeable about the various sources from which to gather data and that the data collected is reliable. The associate should be exposed to any sources of research that would be considered by one's peers in the marketplace including cost manuals, multiple listing services, public records and Internet study.
4. Teach the associate to reason independently and formulate reasonable conclusions based upon the analysis of the information gathered.
5. Teach the basic routine of the appraisal process including a consistent and regular pattern of data gathering, analysis, and report writing.
6. Review and critique appraisal reports for accuracy, ease of reading, understanding and purpose, and ensure that all addenda are both relevant and pertinent.
7. Ensure that factual data is reliable and that analysis is both supported and documented. All necessary certification and limiting conditions should be up to date and applicable to the assignment.
8. Expose an associate to as many different property types, report formats and value ranges as possible with the understanding that each time a new or unique assignment is introduced, there is a responsibility to instruct and educate the associate to ensure competency.
9. Inspect each appraised property with the associate until the supervisor determines the associate is competent, in accordance with the COMPETENCY RULE of USPAP for the property type and geographic location.
10. Bring the associate appraiser to a professional level that enables the associate to demonstrate competency independently.
11. Notify the board within ten calendar days after the supervisor ceases supervising an associate appraiser. The notice must include the name of the associate appraiser and the date the supervision ceased.

[ARC 0881C, IAB 7/24/13, effective 8/28/13; ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 5237C, IAB 10/21/20, effective 11/25/20]

**193F—15.3(543D) Requirements for a supervisory appraiser.**

**15.3(1)** A supervisory appraiser shall:

- a. Have a minimum of three years of experience as an Iowa certified appraiser, be in good standing in all jurisdictions, and be actively certified in Iowa during all periods when providing supervision.
- b. Have a maximum of three associates or trainees, regardless of the jurisdiction in which the associate or trainee is registered or performs appraisal services, and shall register with the board the name, office address and starting date of each associate, as well as any termination dates (voluntary or involuntary).
- c. Be responsible for the training and direct supervision of the associate appraiser by accepting full responsibility for the appraisal report by signing and certifying that the report is in compliance with USPAP.

*d.* Keep copies of associate appraiser reports for a period of at least five years or at least two years after final disposition of any judicial proceeding in which testimony was given, whichever period expires last.

*e.* Comply with all applicable requirements of the Appraiser Qualifications Board.

**15.3(2)** For purposes of this rule, “good standing” means the absence of a disciplinary action in any jurisdiction which affects the appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser. Examples of disciplinary actions that would affect an appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser include revocation, suspension, or voluntary surrender to resolve a disciplinary investigation or action, or a practice restriction that limits the type, geographic location, or scope of an appraiser’s practice or an appraiser’s authority to practice without the supervision of another certified appraiser. An appraiser subject to such a disciplinary action would not be in good standing until three years after the successful completion or termination of the sanction which affected the appraiser’s legal eligibility to engage in an appraisal practice as a certified appraiser.

**15.3(3)** An appraisal experience log shall be maintained jointly by the supervisory appraiser and the associate appraiser as more fully described in rule 193F—4.2(543D).

**15.3(4)** A certified appraiser shall perform as a supervisory appraiser in Iowa only if the appraiser has completed a course that, at a minimum, complies with the specifications for course content established by the Appraiser Qualifications Board. The course is to be completed before the certified appraiser provides supervision.

[ARC 0881C, IAB 7/24/13, effective 8/28/13; ARC 1732C, IAB 11/12/14, effective 12/17/14; ARC 4169C, IAB 12/5/18, effective 1/9/19; ARC 4707C, IAB 10/9/19, effective 11/13/19]

**193F—15.4(543D) Restrictions.** The board may prohibit or further restrict an appraiser’s authorization to act as a supervisory appraiser if the board deems such action necessary to protect the public as part of the remedies or sanctions imposed in a disciplinary action.

[ARC 0881C, IAB 7/24/13, effective 8/28/13]

These rules are intended to implement Iowa Code sections 543D.5 and 543D.22.

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[Filed ARC 5237C (Notice ARC 5126C, IAB 8/12/20), IAB 10/21/20, effective 11/25/20]



CHAPTER 17  
SUPERINTENDENT SUPERVISION STANDARDS AND PROCEDURES

**193F—17.1(543D) Superintendent supervision standards.** The level of the superintendent's supervisory scrutiny of board actions will vary depending on the nature of the board action, the surrounding circumstances, and whether the action is or may be anticompetitive. In general, the superintendent will independently evaluate both the procedures and the substantive merits of board actions.

**17.1(1) Ministerial and nondiscretionary board actions.** Board actions which are ministerial or nondiscretionary, as provided in 193F—subrule 1.2(2), shall be monitored to ensure that such actions are consistent with the mandates required by state or federal law, rule, or regulation; by the AQB; or by the appraisal subcommittee.

**17.1(2) Discretionary board actions.** The superintendent shall independently assess discretionary board actions, as provided in 193F—subrule 1.2(3), to determine whether an action reflects clearly articulated state policy as the inherent, logical, or ordinary result of the exercise of authority delegated to the board by the legislature and is not the result of private interests attempting to restrain trade or otherwise pursue anticompetitive objectives that are contrary to state policy goals. Discretionary board actions which are not anticompetitive shall be monitored by the superintendent but will only be subjected to preclearance procedures if specifically requested by the board or at the superintendent's election. Discretionary board actions that are or may be anticompetitive shall require the superintendent's prior written approval.

**17.1(3) Information review and gathering.** When monitoring or evaluating board actions, the superintendent may rely on the information provided by the board in support of the board's actions if the superintendent is satisfied that the information is sufficient for an independent, de novo evaluation of the substantive merits of the board's action. The superintendent may supplement the board's information and gather additional information if deemed necessary or desirable.

**17.1(4) Written decisions.** Following the superintendent's independent evaluation of the substantive merits of board actions, the superintendent shall issue a written decision approving, modifying, or disapproving the recommended action, and explaining the reasons and rationale for such decision. This requirement shall apply when the superintendent is requested to provide preclearance for a board action and when the superintendent evaluates a final board action upon review by or appeal to the superintendent.

[ARC 2808C, IAB 11/9/16, effective 1/1/17]

**193F—17.2(543D) Procedures for superintendent supervision.**

**17.2(1) Ministerial or nondiscretionary board actions.**

a. The superintendent's monitoring of ministerial or nondiscretionary board actions shall be flexible and designed to spot check compliance. The board shall provide any information that the superintendent requests to adequately monitor such actions. Final board action which is ministerial or nondiscretionary may be appealed to the superintendent by an aggrieved person within 20 days of the issuance of the board action. The written notice of appeal shall be filed with the superintendent and served upon the board within such 20-day period and shall specify:

- (1) The name of the person initiating the appeal;
- (2) The board action which is being appealed;
- (3) The specific facts or law alleged to be in error in the board action;
- (4) The relief sought; and
- (5) The grounds for such relief.

b. The board may respond to the notice of appeal within 20 days of its receipt of the appeal. The superintendent shall issue a written decision as provided in subrule 17.1(4).

**17.2(2) Preclearance.** When the board seeks preclearance of a proposed board action, the board shall submit a written report which identifies the proposed action, describes the basis and support for the action, outlines the persons or markets which may be affected by the action, and attaches sufficient information

from which the superintendent can make an independent, de novo evaluation of the substantive merits of the proposed action. The superintendent shall issue a written decision as provided in subrule 17.1(4).

**17.2(3) *Review or appeal of final, discretionary board action.***

a. Final, discretionary board action may be reviewed by or appealed to the superintendent within 20 days of the issuance of the board action. Such decisions shall be provided to the superintendent when issued to affected persons. If the final board action is not a contested case decision following hearing, a written notice of appeal or request for review shall be filed with the superintendent and served upon the board within such 20-day period, and shall specify:

- (1) The name of the person initiating the appeal or requesting review;
- (2) The board action which is being appealed or for which review is requested;
- (3) The specific facts or law alleged to be in error in the board action, or other specific reason(s) why such review is sought;
- (4) The relief sought; and
- (5) The grounds for such relief.

b. A review initiated by the superintendent shall be in writing and shall inform the board and affected persons of the nature of the superintendent's concerns. The board may respond to the superintendent's review or notice of appeal within 20 days of the board's receipt of the appeal. A person notified of a superintendent's review may respond to the superintendent's review within 20 days of the issuance of the review. The superintendent shall issue a written decision as provided in subrule 17.1(4).

**17.2(4) *Review or appeal of contested case decision.***

a. All board decisions in a contested case following hearing shall be provided to the superintendent when issued. If a timely review is initiated or a timely appeal is taken, the effectiveness of such final board action shall be delayed during the pendency of such review or appeal.

b. All board decisions in a contested case resolved by consent are final decisions, shall be provided to the superintendent when issued, and are subject to the review procedures set forth in subrule 17.2(3).

c. Any aggrieved party may appeal a proposed decision to the superintendent within 20 days after issuance of the proposed decision.

d. When a proposed decision is or may be anticompetitive, the board (regardless of whether the proposed decision is in favor of the state) may request review of the proposed decision.

e. The superintendent may initiate a review of the proposed decision on the superintendent's own motion at any time within 20 days following issuance of such decision.

f. A notice of appeal or request for review must be signed by the appealing party or a representative of that party and contain a certificate of service. The notice shall specify:

- (1) The party or parties initiating the appeal or requesting review;
- (2) The proposed decision or order which is being appealed or for which review is requested;
- (3) The specific findings or conclusions to which exception is taken and any other exceptions to the decision or order;
- (4) The relief sought; and
- (5) The grounds for such relief.

g. A notice of superintendent's review shall identify the superintendent's concerns with sufficient detail from which the board or a party can respond.

h. A party may request the taking of additional evidence only by establishing that the evidence is material, that good cause existed for the failure to present the evidence at the hearing, and that the party has not waived the right to present the evidence. A written request to present additional evidence must be filed with the notice of appeal or, by a nonappealing party, within 14 days of service of the notice of appeal. The superintendent may preside over the taking of additional evidence or may remand a case to the board for further hearing.

i. The superintendent shall issue a schedule for consideration of the review or appeal.

j. Unless otherwise ordered, within 20 days of the notice of appeal, request for review, or order for review, the board and each appealing party may file briefs. Within 20 days thereafter, the board or any party may file a responsive brief. Briefs shall cite any applicable legal authority and specify relevant portions of the record in that proceeding. Written requests to present oral argument shall be filed with

the briefs. The superintendent may resolve the appeal or review on the briefs or provide an opportunity for oral argument. The superintendent may shorten or extend the briefing period as appropriate.

*k.* The record on appeal or review shall be the entire record made at hearing.

*l.* The superintendent shall issue a written decision as provided in subrule 17.1(4).

[**ARC 2808C**, IAB 11/9/16, effective 1/1/17; **ARC 4379C**, IAB 3/27/19, effective 5/1/19; **ARC 5237C**, IAB 10/21/20, effective 11/25/20]

These rules are intended to implement Iowa Code chapter 543D.

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[Filed ARC 5237C (Notice ARC 5126C, IAB 8/12/20), IAB 10/21/20, effective 11/25/20]



**VOLUNTEER SERVICE, IOWA COMMISSION ON[817]**

[Created by Executive Order 48 on 2/14/94]

[Prior to 3/31/04, see Iowa Commission on National and Community Service[555];  
renamed Iowa Commission on Volunteer Service by Executive Order 64 on 5/18/98]**CHAPTER 1  
ORGANIZATION AND OPERATION**

- 1.1(ExecOrd48) Purpose
- 1.2(ExecOrd48) Organization and operation

**CHAPTER 2  
RULE MAKING**

- 2.1(ExecOrd48) Initiation of rule-making procedures
- 2.2(ExecOrd48) Procedures for oral or written presentations

**CHAPTER 3  
DECLARATORY RULINGS**

- 3.1(ExecOrd48) Declaratory rulings
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**CHAPTER 4  
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- 5.1(ExecOrd48) Appeals

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## CHAPTER 1 ORGANIZATION AND OPERATION

**817—1.1(ExecOrd48) Purpose.** This chapter describes the organization and operation of the Iowa commission on volunteer service (herein generally referred to as the commission), including the offices where and the means by which any interested person may obtain information and make submittals or requests.

**817—1.2(ExecOrd48) Organization and operation.**

**1.2(1) Location.** The commission is located at 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315; telephone 1-800-308-5987. Office hours are 8 a.m. to 4:30 p.m., Monday to Friday. Offices are closed on Saturdays and Sundays and on official state holidays designated in accordance with state law.

**1.2(2) The commission.** The commission consists of 15 to 25 voting members and functions under the leadership of a chairperson. Each member, appointed in accordance with federal and state guidelines, serves a three-year term scheduled so that no more than one-third of the appointments will expire in the same year.

**1.2(3) Meetings.** The commission shall meet at regular intervals at least four times annually. Additional meetings may be called at the discretion of the chairperson. All meetings are open to the public in accordance with the open meetings law, Iowa Code chapter 21.

*a. Chairperson.* The chairperson of the commission presides at each meeting. Members of the public may be recognized at the discretion of the chairperson.

*b. Public notice.* The commission shall give advance public notice of the time and place of each commission meeting. The notice will include the specific date, time, and place of the meeting.

*c. Quorum.* A quorum shall consist of half of the current voting members of the commission plus one. When a quorum is present, a position is carried by an affirmative vote of the majority of commission members eligible to vote. A commissioner is eligible to vote in person, by telephone hook-up, or by proxy executed in writing to the chairperson prior to the meeting. A proxy shall be valid only for one meeting.

*d. Termination.* Any commissioner who does not attend three or more consecutive regular meetings or who attends less than one-half of the regular meetings within a 12-month period shall be considered to have resigned from the commission.

*e. Resignations.* A commissioner wishing to resign may do so by submitting a letter of resignation to the governor and sending a copy to the commission chairperson.

*f. Public presentations.* A specific time is set aside at each meeting for the public to address the board. As a general guideline, a limit of five minutes will be allocated for each of these presentations. If a large group seeks to address a specific issue, the chairperson may limit the number of speakers. To address the board, individuals are encouraged to notify the commission staff at least 72 hours in advance of the meeting.

**1.2(4) Minutes.** The minutes of all commission meetings shall be recorded and kept in the commission office.

**1.2(5) Records.** The records of all of the business transacted and other information with respect to the operation of the commission are public records and shall be kept on file in the commission office. All records, except statements specified as confidential under these rules, are available for inspection during regular business hours. (Copies of up to ten pages of records may be obtained without charge. The cost of reproduction will be charged for pages in excess of ten. The charge may be waived by the executive director.)

**1.2(6) Submission and requests.** Inquiries, submissions, petitions, and other requests directed to the commission shall be made by letter addressed to the executive director at the address listed in subrule 1.2(1). Any person may petition for a written or oral hearing before the commission. All requests for a hearing must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary if one is requested.

**1.2(7) Committees.** The chairperson may establish committees including an executive committee that may conduct commission business as necessary between scheduled meetings. The chairperson may appoint commissioners and noncommissioners to serve on the committees. Noncommissioners shall not serve on the executive committee.

[ARC 5238C, IAB 10/21/20, effective 11/25/20]

These rules are intended to implement Executive Order Number 48.

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CHAPTER 13  
FUTURE READY IOWA VOLUNTEER MENTOR PROGRAM

**817—13.1(15H) Purpose and program description.** The purpose of the future ready Iowa volunteer mentor program is to match volunteer mentors with student mentees and to support implementation of the future ready Iowa skilled workforce last-dollar scholarship program and the future ready Iowa skilled workforce grant program created in Iowa Code sections 261.131 and 261.132. The future ready Iowa volunteer mentor program is an optional program for recipients of these scholarships and grants and is designed to provide mentors to help recipients increase success in school and make meaningful career connections. The Iowa commission on volunteer service will manage this statewide program by partnering with employers, local high schools, nonprofits, local eligible institutions of higher education and others to develop mentoring cohorts.

[ARC 4722C, IAB 10/23/19, effective 11/27/19]

**817—13.2(15H) Definitions.**

“*Commission*” means the Iowa commission on volunteer service.

“*Eligible institution*” means an institution meeting the requirements outlined in Iowa Code section 261.131.

“*Grant program*” means the future ready Iowa skilled workforce grant program outlined in Iowa Code section 261.132.

“*Last-dollar scholarship*” means the future ready Iowa skilled workforce last-dollar scholarship program outlined in Iowa Code section 261.131.

“*Program*” means the future ready Iowa volunteer mentor program as defined in Iowa Code section 15H.10.

“*Student mentee*” means a student who has elected to participate in the program, has agreed to program expectations, and has been matched with a volunteer mentor through the program. Student mentees must meet the criteria in Iowa Code sections 261.131 and 261.132.

“*Volunteer mentor*” means an adult who has applied to be a mentor, has met the screening guidelines, has attended mentor training, has committed to meeting with the mentee according to program guidelines, and has been matched with a mentee in the program.

[ARC 4722C, IAB 10/23/19, effective 11/27/19]

**817—13.3(15H) Program standards, guidelines, and expectations.** The commission will maintain on its website standards, guidelines, and expectations for a productive and appropriate relationship between volunteer mentors and student mentees. Standards, guidelines, and expectations are aimed at helping students meet the last-dollar scholarship or grant program requirements, identify work-based learning opportunities, and make career-related connections that are advantageous to participants in the program through a healthy mentor-mentee relationship. Failure to adhere to the program standards may result in ineligibility to participate in the program. To the extent possible, volunteer mentors and student mentees will be matched based on gender, career aspirations, geography and mentor-to-mentee ratio.

[ARC 4722C, IAB 10/23/19, effective 11/27/19]

**817—13.4(15H) Mentor/mentee agreement.** All volunteer mentors and student mentees matched with a volunteer mentor must complete and sign a written agreement issued by the commission as part of the program enrollment process. This does not include students receiving texting services only. Agreements will include expectations on regular communication, appropriate conduct, utilization of the online platform and participation in any training or resources offered to improve the efficacy of the mentor-mentee relationship. Failure by either party to adhere to the agreement may result in dismissal from the program.

[ARC 4722C, IAB 10/23/19, effective 11/27/19; ARC 5239C, IAB 10/21/20, effective 11/25/20]

**817—13.5(15H) Mentor request and application process.**

**13.5(1) Mentor request process.** Students may request a volunteer mentor through the commission’s website or partner agencies, including through referrals from high schools and eligible institutions.

Eligible institutions must collaborate in the facilitation of this subrule by providing information on the mentor request process to all students who meet the criteria of Iowa Code sections 261.131 and 261.132. The Iowa college aid commission may enroll eligible students into the texting services whenever possible to facilitate overall student success and communication about career mentoring opportunities. Students may opt to not participate in the program.

**13.5(2) *Mentor application process.*** Prospective mentors should apply to be a volunteer mentor through the commission's website or through high schools, eligible institutions, or partner agencies or employers. These partner agencies may also enlist employers and other partners to help make direct mentoring connections with local mentoring cohorts. Prospective mentors must complete an application, consent to an Iowa division of criminal investigation criminal background check, attend orientation training and agree to the minimum commitment and guidelines outlined in the mentor/mentee agreement. [ARC 4722C, IAB 10/23/19, effective 11/27/19; ARC 5239C, IAB 10/21/20, effective 11/25/20]

**817—13.6(15H) Subrecipient award process.** If the commission deems it necessary, the commission may seek subrecipients to carry out components of the program through the commission's regular grant program application processes. The commission may also work with partner state agencies to assist in the administration of this chapter.

[ARC 4722C, IAB 10/23/19, effective 11/27/19]

These rules are intended to implement Iowa Code section 15H.10.

[Filed ARC 4722C (Notice ARC 4508C, IAB 6/19/19), IAB 10/23/19, effective 11/27/19]

[Filed ARC 5239C (Notice ARC 5088C, IAB 7/15/20), IAB 10/21/20, effective 11/25/20]

CHAPTER 14  
IOWA NATIONAL SERVICE CORPS PROGRAM

**817—14.1(15H) Purpose and program description.** The Iowa commission on volunteer service certifies national service programs that meet the standards established in Iowa Code section 15H.9. The Iowa commission on volunteer service also provides training, resources, and support services to Iowa national service corps programs. In partnership with approved programs, the Iowa commission on volunteer service strives to provide opportunities for state agencies, political subdivisions of the state, and private, nonprofit organizations to create national service programs outside of existing state and federal programs to meet state and local needs and to provide more opportunities for Iowans to serve their state and country and foster a cultural expectation of service in Iowa through a unified service corps.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.2(15H) Definitions** For purposes of this chapter, unless the context otherwise requires:

*“Approval”* means the process for identifying service programs as meeting the criteria to become eligible for Iowa national service corps program benefits and technical assistance.

*“Commission”* means the Iowa commission on volunteer service.

*“Host site”* means the physical location where an Iowa national service corps member is based for the period of service in the Iowa national service corps program. The sponsoring organization may be the host site.

*“Iowa national service corps approval application”* means the application used to determine an applicant’s designation as an approved Iowa national service program. The application contains information that can be used to determine an applicant’s designation as an approved Iowa national service corps program.

*“Iowa national service corps member”* or *“corps member”* means a participant in an approved Iowa national service corps program.

*“Iowa national service corps program”* or *“national service corps program”* means a program that provides meaningful service opportunities to individuals, provided that the program meets the following requirements:

1. The program is approved via the automatic approval, reciprocal approval, or regular approval process.
2. The program is located in this state or has sites operating in the state.
3. The program is operated by one of the following entities: a state agency, a political subdivision of the state, or a private, nonprofit organization (state agencies or political subdivisions of the state may establish Iowa national service corps programs or contract with a third-party vendor to assist the agency or political subdivision in establishing such programs).
4. The program is developed to meet state and local needs and to provide more opportunities for Iowans to serve their state and country and foster a cultural expectation of service in Iowa through a unified service corps.

*“Sponsoring organization”* means the entity operating the Iowa national service corps program, which is responsible for submitting the Iowa national service corps approval application and meeting requirements for approved programs.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.3(15H) Approval.** Before a national service corps program can access the benefits of the Iowa national service corps, it must be approved by the commission.

**14.3(1) Automatic approval.** Existing programs and service positions in the following categories are automatically approved: AmeriCorps programs in Iowa created pursuant to 42 U.S.C. §12501, Senior Corps and AmeriCorps VISTA in Iowa created pursuant to 42 U.S.C. §4950 et seq., the Iowa summer youth corps program created pursuant to Iowa Code section 15H.5, the Iowa green corps program created pursuant to Iowa Code section 15H.6, the Iowa reading corps program created pursuant to Iowa Code

section 15H.7, the RefugeeRISE AmeriCorps program created pursuant to Iowa Code section 15H.8, and the Iowa conservation corps created pursuant to Iowa Code section 84A.7.

**14.3(2) *Reciprocal approval.*** Existing programs and service positions recognized by another service year certifying body may request reciprocal approval by following the process outlined on the commission's website.

**14.3(3) *Regular approval.*** All other entities seeking approval for their service programs or positions should follow the regular approval process by completing an Iowa national service corps approval application.

*a.* Applications for national service corps program approval are available from the Iowa commission on volunteer service's website.

*b.* A review team designated by the commission shall review applications from national service corps programs to determine whether the national service corps programs or positions are eligible to participate in the program.

*c.* Applicants shall receive written notification of the commission's decision. Written notification will also be provided regarding the due dates and process for submission of program reports.

*d.* Full approval means the commission has determined that the national service corps program has met the established standards.

*e.* Conditional approval means the commission has temporarily approved the national service corps program before the program becomes fully operational or before the program has met the standards for full approval.

*f.* Any program that is denied approval or decertified for any reason bears the burden of proving that all deficiencies previously cited have been corrected. Corrections shall be in accordance with requirements of the Iowa commission on volunteer service.

**14.3(4) *Documentation.*** Additional documentation may be required to verify elements of the application. Documentation verifying a program's compliance with approval standards may be required by the commission during the approval process. Each program shall provide relevant information upon the commission's request in order to be considered for approval. National service corps programs may be requested to provide documentation of continued eligibility at any time during and after approval.

**14.3(5) *Duration of approval.***

*a.* Automatic approval will be in effect as long as the program is recognized as one of the automatically approved programs listed in subrule 14.3(1).

*b.* Reciprocal approval will be in effect as long as the program is recognized by the other certifying body.

*c.* Regular approval.

(1) Full approval may be in effect for three years, as long as the program continues to meet the approval standards.

(2) Conditional approval may be in effect for six months and may be used for the purpose of applying for program benefits and technical assistance available to approved national service corps programs. The commission may grant an extension of conditional approval if it is determined that significant progress is being made toward meeting the requirements for full approval. It shall be the responsibility of the national service corps program to notify the commission when the program believes it has met the full approval criteria.

(3) A national service corps program may renew its approval. Programs whose full approval has expired should reapply using the application form available on the commission's website.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.4(15H) Approval standards.** The commission has established standards to certify national service corps programs. These standards are based on a combination of factors established by the Corporation for National and Community Service, the Service Year Alliance, and the existing rules for the Iowa summer youth corps program created pursuant to Iowa Code section 15H.5, the Iowa green corps program created pursuant to Iowa Code section 15H.6, the Iowa reading corps program created

pursuant to Iowa Code section 15H.7, the RefugeeRISE AmeriCorps program created pursuant to Iowa Code section 15H.8, and the Iowa conservation corps created pursuant to Iowa Code section 84A.7.

**14.4(1) *Program design.*** The national service corps program should have a program design defining the impact the program will have on the community, sponsor organization, and service corps members. The program design must identify how the national service program will address a state or local need and how the program will promote a sense of civic engagement in program participants.

**14.4(2) *Corps member position description.*** The national service corps program shall have written descriptions/plans for high-quality service activities. National service corps member activities must be clearly delineated from those of employees of the sponsoring organization and host site.

**14.4(3) *Orientation.*** The national service corps program shall have an orientation for national service corps members, including clarification on how the member service activities differ from employee responsibilities.

**14.4(4) *Eligibility.*** The national service corps program shall have eligibility screening for national service corps members, commensurate to the service activities to be conducted and the population to be served. National service corps programs shall set and meet minimum requirements for checking the criminal history of national service corps member applicants and considering the following results when selecting corps members:

a. Criminal background and sex offender registry checks for corps members over the age of 18.

b. Reference checks for corps members under the age of 18.

**14.4(5) *Training and professional development.*** The national service corps program shall provide ongoing training and professional development to the national service corps members.

**14.4(6) *Member supervision.*** The national service corps program shall demonstrate the ability to effectively supervise the national service corps members.

**14.4(7) *Certification of member service.*** Upon successful completion of the term of service by the Iowa national service corps member, the sponsor organization shall issue a certification of service letter to the corps member. The letter should include, at a minimum, the name of the corps member, whether the corps member served in a full-time or less than full-time capacity, the dates of service (if the corps member served in a full-time capacity) or the hours of service (if the corps member served in a less than full-time capacity), the name of the sponsor organization, and a contact person at the sponsor organization.

**14.4(8) *Compliance process.*** The national service corps program shall have a process for ensuring compliance with program standards.

**14.4(9) *Program impact.*** The national service corps program should have a method for tracking progress towards the established goals of the program.

**14.4(10) *Organizational capacity.*** The sponsoring organization shall have an established history and demonstrate the staff capacity and experience to effectively oversee the national service corps program.

**14.4(11) *Financial capacity, cost effectiveness and budget adequacy.*** The sponsoring organization should demonstrate the financial capacity to administer the national service corps program, including any living allowances or stipends provided to national service corps members. The national service corps program budget should be sufficient to provide the national service corps member(s) with the tools needed to be effective in the assigned tasks.

**14.4(12) *Risk management.*** The national service corps program should practice appropriate risk management strategies for the approved national service corps positions.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

## **817—14.5(15H) Application process.**

**14.5(1) *Sponsor organization approval process.*** Eligible organizations may request approval using the application materials available through the commission's website.

**14.5(2) *Iowa national service corps member process.*** Prospective national service corps members should apply directly to an approved Iowa national service corps program. Prospective corps members must meet the approved program's eligibility requirements and agree to the program standards.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.6(15H) Special consideration.** In addition to the standards set forth in rule 817—14.4(15H), the commission may consider other factors to determine approval status to ensure that only high-quality national service corps programs are approved.

**14.6(1) On-site audits.** At the discretion of the commission, on-site audits may be conducted to determine approval.

**14.6(2) Reporting.** Programs that fail to submit required documentation are at risk of decertification and may be deemed ineligible to receive the benefits of approval, including complimentary training registration and inclusion on the Iowa commission on volunteer service website.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.7(15H) Decertification.** A national service corps program shall be decertified by the commission if it is determined that the program no longer meets the approval standards identified herein for a high-quality national service corps program, if program personnel cannot be contacted by the commission, if the program fails to provide documents requested by the commission or if the program fails to complete any required Iowa national service corps annual report.

**14.7(1)** Written notice of the intent to revoke approval shall be provided to a national service corps program when the commission determines that there is reasonable cause to believe the program does not comply with these rules. Notice shall be sent at least 30 days before decertification becomes effective.

**14.7(2)** Decertification procedures may be initiated by the commission, by the program, or following investigation of a complaint filed by the general public. A request for an investigation from the public must be in written form and shall specify the reason(s) why the approved national service corps program no longer meets the approval standards. Supporting documentation may be attached to the request. The identity of the complainant is confidential pursuant to Iowa Code section 22.7(18).

**14.7(3)** Benefits and designation as an approved national service corps program will continue until the final decision is issued by the commission.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.8(15H) Fraudulent practices in connection with approved national service corps programs.** A person is considered to be guilty of a fraudulent practice if the person knowingly falsifies information on an application for the purpose of obtaining approval and any other potential benefits, including those offered through the Iowa commission on volunteer service or other state contracts and grants available only to approved national service corps programs. The commission may investigate allegations or complaints of fraudulent practices and will take action to decertify a national service corps program upon concluding that a violation has occurred. A violation under this rule is grounds for decertification of the national service corps program responsible for the violation. Decertification shall be in addition to any penalty otherwise authorized.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.9(15H) Appeal procedure.** Commission decisions regarding approved national service corps programs may be contested by an adversely affected party as detailed in 817—Chapter 5.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.10(15H) Intergovernmental agreements.** Approved Iowa national service corps programs are considered governmental entities in accordance with rule 11—118.4(8A). As such, state agencies or political subdivisions of the state may enter into an agreement for services with any approved Iowa national service corps program directly or through an agreement with the commission and are not required to use competitive selection.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.11(15H) Program administration.** State agencies or political subdivisions of the state may establish Iowa national service corps programs or contract with a third-party vendor to assist the agency or political subdivision in establishing such programs. In the case that a vendor is utilized, the program



is still considered a governmental entity for the purposes of intergovernmental agreements pursuant to rule 11—118.4(8A).

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.12(15H) Funding priority.** State agencies or political subdivisions of the state may give priority to grants or projects funded that utilize Iowa national service corps programs.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.13(15H) Hiring preferences.**

**14.13(1)** State agencies or political subdivisions of the state may establish hiring preferences for any Iowa national service corps or AmeriCorps participant who has successfully completed a year of full-time service or 1,700 hours over a period extending beyond a year.

**14.13(2)** Iowa national service corps members may request a letter verifying their eligibility for a hiring preference from the program in which they served or agencies may independently verify upon application.

[ARC 5240C, IAB 10/21/20, effective 11/25/20]

**817—14.14(15H) Participant employment status.** A person participating in the Iowa national service corps program is not an employee of the organization in which the person is enrolled regardless of whether a stipend is provided; shall be exempt from the merit system requirements of Iowa Code chapter 8A, subchapter IV; and is not eligible to receive unemployment compensation benefits under Iowa Code chapter 96 upon completion of service.

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These rules are intended to implement Iowa Code chapter 15H.

[Filed ARC 5240C (Notice ARC 5120C, IAB 7/29/20), IAB 10/21/20, effective 11/25/20]